

**SENATE BILL 74**  
**EMERGENCY BILL**

Unofficial Copy  
P5

2004 Regular Session  
4r0590

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By: **The President (By Request - Department of Legislative Services)**

Introduced and read first time: January 15, 2004

Assigned to: Rules

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A BILL ENTITLED

1 AN ACT concerning

2 **Annual Corrective Bill**

3 FOR the purpose of correcting certain errors and omissions in certain articles of the  
4 Annotated Code and in certain uncodified laws; clarifying language; correcting  
5 certain obsolete references; providing that this Act is not intended to affect any  
6 law other than to correct technical errors; repealing certain provisions of law;  
7 reorganizing certain sections of the Annotated Code; validating and ratifying  
8 certain corrections made by the publisher of the Annotated Code; providing for  
9 the future correction of certain errors and obsolete provisions by the publisher of  
10 the Annotated Code; providing for the effect and construction of certain  
11 provisions of this Act; and making this Act an emergency measure.

12 BY repealing and reenacting, with amendments,  
13 Article 2B - Alcoholic Beverages  
14 Section 6-201(n)(6)(x), 8-405(a)(3) and (4), and 15-112(y)(2)(iv)  
15 Annotated Code of Maryland  
16 (2001 Replacement Volume and 2003 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article 28 - Maryland-National Capital Park and Planning Commission  
19 Section 2-104(b), 5-113(b)(4) and (5), and 5-114.1(g)(1)(xiv)  
20 Annotated Code of Maryland  
21 (2003 Replacement Volume)

22 BY repealing and reenacting, with amendments,  
23 Article 29 - Washington Suburban Sanitary District  
24 Section 11-109(b)(1)  
25 Annotated Code of Maryland  
26 (2003 Replacement Volume)

27 BY repealing and reenacting, with amendments,  
28 Article 29 - Washington Suburban Sanitary District  
29 Section 11.5-105(a)(2), 11.5-108(c)(7), and 11.5-111(c)(3)(ii)

1 Annotated Code of Maryland  
2 (2003 Replacement Volume)  
3 (As enacted by Chapter 424 of the Acts of the General Assembly of 2003)

4 BY adding to  
5 Article 31 - Debt - Public  
6 New subtitle designation "Interest Rate Exchange Agreements" to immediately  
7 precede Section 34  
8 Annotated Code of Maryland  
9 (2003 Replacement Volume)

10 BY repealing and reenacting, without amendments,  
11 Article 31 - Debt - Public  
12 Section 34(a)  
13 Annotated Code of Maryland  
14 (2003 Replacement Volume)

15 BY repealing  
16 Article 41 - Governor - Executive and Administrative Departments  
17 Section 2-405  
18 Annotated Code of Maryland  
19 (2003 Replacement Volume)

20 BY repealing and reenacting, with amendments,  
21 Article 41 - Governor - Executive and Administrative Departments  
22 Section 6-103(d), 6-803(b)(8)(ii), and 14-103(c)(1)  
23 Annotated Code of Maryland  
24 (2003 Replacement Volume)

25 BY repealing and reenacting, with amendments,  
26 Article 49D - Office for Children, Youth, and Families  
27 Section 15(a)(6)  
28 Annotated Code of Maryland  
29 (2003 Replacement Volume)  
30 (As enacted by Chapter 282 of the Acts of the General Assembly of 2002, as  
31 amended by Chapter 53 of the Acts of the General Assembly of 2003)

32 BY repealing and reenacting, without amendments,  
33 Article 70B - Department of Aging  
34 Section 11B(f)  
35 Annotated Code of Maryland  
36 (2003 Replacement Volume)

37 BY repealing and reenacting, with amendments,

1 Article 70B - Department of Aging  
2 Section 14A(a)(2)(i) and (b)(2)(i); 33(c), 34(a) and (d), and 35(b) and (c) to be  
3 under the amended subtitle "Senior Citizen Activities Center Operating  
4 Fund"  
5 Annotated Code of Maryland  
6 (2003 Replacement Volume)

7 BY repealing and reenacting, with amendments,  
8 Article 83A - Department of Business and Economic Development  
9 Section 4-301(d)(2) and 5-927(i)(2)  
10 Annotated Code of Maryland  
11 (2003 Replacement Volume)

12 BY repealing and reenacting, with amendments,  
13 Article 83C - Juvenile Services  
14 Section 2-104(e)(3)(i)4. and 2-128(a)(2) and (b)  
15 Annotated Code of Maryland  
16 (2003 Replacement Volume)

17 BY repealing and reenacting, with amendments,  
18 Article - Business Occupations and Professions  
19 Section 1-101(f) and 15-101(e)(2)  
20 Annotated Code of Maryland  
21 (2000 Replacement Volume and 2003 Supplement)

22 BY repealing and reenacting, with amendments,  
23 Article - Business Occupations and Professions  
24 Section 5-307(d)(1)  
25 Annotated Code of Maryland  
26 (2000 Replacement Volume and 2003 Supplement)  
27 (As enacted by Chapter 125 of the Acts of the General Assembly of 2003)

28 BY repealing and reenacting, without amendments,  
29 Article - Business Occupations and Professions  
30 Section 9-304  
31 Annotated Code of Maryland  
32 (2000 Replacement Volume and 2003 Supplement)

33 BY repealing and reenacting, with amendments,  
34 Article - Business Regulation  
35 Section 4-407(a), 4-416(b), and 4-417  
36 Annotated Code of Maryland  
37 (1998 Replacement Volume and 2003 Supplement)

1 (As enacted by Chapter 421 of the Acts of the General Assembly of 2003)

2 BY repealing and reenacting, with amendments,  
3 Article - Business Regulation  
4 Section 4.5-101(e), 9A-308(a)(2)(i), 9A-309(d)(2), and 10-323.2(a)(3)  
5 Annotated Code of Maryland  
6 (1998 Replacement Volume and 2003 Supplement)

7 BY repealing and reenacting, with amendments,  
8 Article - Commercial Law  
9 Section 12-410(a)(5) and 13-301(9)(i) and (14)(xix)  
10 Annotated Code of Maryland  
11 (2000 Replacement Volume and 2003 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article - Corporations and Associations  
14 Section 1-203(a) and (b)(4)(ii), (6), and (7)(ii), 4A-702(d), 4A-703(2)(iv), 10-108,  
15 10-208(c)(2), (d)(1)(iii), and (e)(1)(v), and 10-805  
16 Annotated Code of Maryland  
17 (1999 Replacement Volume and 2003 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Article - Corporations and Associations  
20 Section 5-632(d)(1)(i)  
21 Annotated Code of Maryland  
22 (1999 Replacement Volume and 2003 Supplement)  
23 (As enacted by Chapter 21 of the Acts of the General Assembly of 2003)

24 BY repealing and reenacting, with amendments,  
25 Article - Correctional Services  
26 Section 3-904(l)  
27 Annotated Code of Maryland  
28 (1999 Volume and 2003 Supplement)

29 BY repealing and reenacting, with amendments,  
30 Article - Courts and Judicial Proceedings  
31 Section 1-603(d), 2-104(d), 3-8A-19(e)(1)(ii), 5-106(n), 5-406(a)(4), 5-407(e),  
32 5-521(b), 7-409(a)(2)(xvi), 10-205(b), 11-108(a)(4), and 12-302(d) and (e)  
33 Annotated Code of Maryland  
34 (2002 Replacement Volume and 2003 Supplement)

35 BY repealing and reenacting, with amendments,  
36 Article - Courts and Judicial Proceedings  
37 Section 7-409(a)(2)(iii)

1 Annotated Code of Maryland  
2 (2002 Replacement Volume and 2003 Supplement)  
3 (As enacted by Chapters 374 and 375 of the Acts of the General Assembly of  
4 2003)

5 BY repealing and reenacting, without amendments,  
6 Article - Criminal Law  
7 Section 2-401(a)(1), 3-902(a)(3)(i), 6-501, and 13-101  
8 Annotated Code of Maryland  
9 (2002 Volume and 2003 Supplement)

10 BY repealing and reenacting, with amendments,  
11 Article - Criminal Law  
12 The subtitle designation "Subtitle 4. Review by Court of Appeals" immediately  
13 preceding Section 2-401; Section 3-802(a), 4-203(b)(1)(vi), 5-609(b)(1),  
14 8-301(d)(1), (2), and (5), 8-607(b)(4), 8-608(a)(4), 8-609(b)(2),  
15 10-615(b)(2)(i); the title designation "Title 13. Gaming - Local Provisions"  
16 immediately preceding Section 13-101; and 14-101(a)(6)  
17 Annotated Code of Maryland  
18 (2002 Volume and 2003 Supplement)

19 BY repealing  
20 Article - Criminal Law  
21 The part designation "Part I. In General" immediately preceding Section 6-501  
22 Annotated Code of Maryland  
23 (2002 Volume and 2003 Supplement)  
24 (As enacted by Chapter 335 of the Acts of the General Assembly of 2002)

25 BY repealing and reenacting, with amendments,  
26 Article - Criminal Procedure  
27 Section 2-209(a)(2)(ii), 8-201(a) and (b), 11-603(a)(6), and 11-721(a)  
28 Annotated Code of Maryland  
29 (2001 Volume and 2003 Supplement)

30 BY repealing and reenacting, with amendments,  
31 Article - Education  
32 Section 4-205(k)  
33 Annotated Code of Maryland  
34 (2001 Replacement Volume and 2003 Supplement)  
35 (As enacted by Chapter 21 of the Acts of the General Assembly of 2003)

36 BY repealing and reenacting, with amendments,  
37 Article - Education  
38 Section 7-101(d), 8-412(c), 8-417(a)(2), 9-108(b), 18-702(a) and (d), 18-1008(b),

1 and 18-1102(c)(1) and (d)(2); 18-1901 to be under the amended subtitle  
2 "Subtitle 19. College Savings Plans of Maryland"  
3 Annotated Code of Maryland  
4 (2001 Replacement Volume and 2003 Supplement)

5 BY repealing and reenacting, with amendments,  
6 Article - Education  
7 Section 7-305.1(i)  
8 Annotated Code of Maryland  
9 (2001 Replacement Volume and 2003 Supplement)  
10 (As enacted by Chapter 433 of the Acts of the General Assembly of 2003)

11 BY repealing and reenacting, with amendments,  
12 Article - Education  
13 Section 7-403(a)  
14 Annotated Code of Maryland  
15 (2001 Replacement Volume and 2003 Supplement)  
16 (As enacted by Chapter 178 of the Acts of the General Assembly of 2003)

17 BY repealing and reenacting, with amendments,  
18 Article - Education  
19 Section 8-310(a)(2)  
20 Annotated Code of Maryland  
21 (2001 Replacement Volume and 2003 Supplement)  
22 (As enacted by Chapter 458 of the Acts of the General Assembly of 2003)

23 BY repealing and reenacting, with amendments,  
24 Article - Education  
25 Section 9-102(11) and 9-103(b)  
26 Annotated Code of Maryland  
27 (2001 Replacement Volume and 2003 Supplement)  
28 (As enacted by Chapter 358 of the Acts of the General Assembly of 2003)

29 BY repealing and reenacting, with amendments,  
30 Article - Election Law  
31 Section 2-102(b)(12), 10-310(a)(3) through (6) and (c)(7), and 13-311  
32 Annotated Code of Maryland  
33 (2003 Volume and 2003 Supplement)

34 BY repealing and reenacting, with amendments,  
35 Article - Environment  
36 Section 7-201(x)(7), 7-406(f)(2), and 15-501(d)  
37 Annotated Code of Maryland

- 1 (1996 Replacement Volume and 2003 Supplement)
- 2 BY repealing and reenacting, with amendments,  
3 Article - Family Law  
4 Section 2-402(c)  
5 Annotated Code of Maryland  
6 (1999 Replacement Volume and 2003 Supplement)  
7 (As enacted by Chapter 120 of the Acts of the General Assembly of 2003)
- 8 BY repealing and reenacting, with amendments,  
9 Article - Family Law  
10 Section 5-1206(a), 9-403(c)(2)(i), and 10-119.3(a)  
11 Annotated Code of Maryland  
12 (1999 Replacement Volume and 2003 Supplement)
- 13 BY repealing and reenacting, with amendments,  
14 Article - Financial Institutions  
15 Section 8-401(a)(1), 9-329(a), 11-404(c)(1), 12-418(b), and 13-701(m)  
16 Annotated Code of Maryland  
17 (2003 Replacement Volume)
- 18 BY repealing and reenacting, with amendments,  
19 Article - Health - General  
20 Section 10-620(f), 13-1002(e)(3)(iii) and (g)(1)(i), 13-1102(f)(3)(iii) and (h)(1)(i),  
21 15-202(c)(5), 18-214(i), 19-132(d)(1)(ii), 19-303(d)(4), 19-319(h)(1),  
22 19-1409(b)(3), 20-904(a) and (c), and 21-1113(c)(2)  
23 Annotated Code of Maryland  
24 (2000 Replacement Volume and 2003 Supplement)
- 25 BY repealing and reenacting, with amendments,  
26 Article - Health - General  
27 Section 13-1003(b)  
28 Annotated Code of Maryland  
29 (2000 Replacement Volume and 2003 Supplement)  
30 (As enacted by Chapter 203 of the Acts of the General Assembly of 2003)
- 31 BY repealing and reenacting, with amendments,  
32 Article - Health - General  
33 Section 18-1006  
34 Annotated Code of Maryland  
35 (2000 Replacement Volume and 2003 Supplement)  
36 (As enacted by Chapter 149 of the Acts of the General Assembly of 2003)
- 37 BY repealing and reenacting, with amendments,

- 1 Article - Health Occupations  
2 Section 3-5A-14(b)(1), 14-401(g), 14-405(e), and 19-311(18)(i)  
3 Annotated Code of Maryland  
4 (2000 Replacement Volume and 2003 Supplement)
- 5 BY repealing and reenacting, with amendments,  
6 Article - Health Occupations  
7 Section 4-308(c)(3)  
8 Annotated Code of Maryland  
9 (2000 Replacement Volume and 2003 Supplement)  
10 (As enacted by Chapter 83 of the Acts of the General Assembly of 2000)
- 11 BY repealing and reenacting, with amendments,  
12 Article - Health Occupations  
13 Section 14-401(c)(4)(i) and 14-402(e)  
14 Annotated Code of Maryland  
15 (2000 Replacement Volume and 2003 Supplement)  
16 (As enacted by Chapter 252 of the Acts of the General Assembly of 2003)
- 17 BY repealing and reenacting, with amendments,  
18 Article - Health Occupations  
19 Section 16-307(f)(2)(i) and 16-308(a)(2)  
20 Annotated Code of Maryland  
21 (2000 Replacement Volume and 2003 Supplement)  
22 (As enacted by Chapter 134 of the Acts of the General Assembly of 2003)
- 23 BY repealing and reenacting, with amendments,  
24 Article - Insurance  
25 Section 2-401(c)(3)(iii), 10-120(b)(2) and (d), 10-121(f)(1), 10-131, 10-211,  
26 10-211.1(a), (b)(1)(i), (c), and (d), 10-304(b), 10-408, and 10-408.1(a),  
27 (b)(1)(i), (c), and (d)  
28 Annotated Code of Maryland  
29 (2003 Replacement Volume)
- 30 BY repealing and reenacting, without amendments,  
31 Article - Insurance  
32 Section 10-101(a) and the subtitle "Subtitle 1. Insurance Producers"  
33 Annotated Code of Maryland  
34 (2003 Replacement Volume)
- 35 BY repealing and reenacting, with amendments,  
36 Article - Insurance  
37 Section 10-118(g)(4) and 10-604(a)(2)

1 Annotated Code of Maryland  
2 (2003 Replacement Volume)  
3 (As enacted by Chapter 35 of the Acts of the General Assembly of 2003)

4 BY repealing and reenacting, with amendments,  
5 Article - Insurance  
6 Section 14-110(b), 15-1308(e), 20-516(a)(3), 23-304(1), 25-405(f), and  
7 27-801(c)(3)(iii)  
8 Annotated Code of Maryland  
9 (2002 Replacement Volume and 2003 Supplement)

10 BY repealing and reenacting, with amendments,  
11 Article - Insurance  
12 Section 14-115(d)(6)(iv)  
13 Annotated Code of Maryland  
14 (2002 Replacement Volume and 2003 Supplement)  
15 (As enacted by Chapters 356 and 357 of the Acts of the General Assembly of  
16 2003)

17 BY repealing and reenacting, with amendments,  
18 Article - Insurance  
19 Section 15-1601(e)  
20 Annotated Code of Maryland  
21 (2002 Replacement Volume and 2003 Supplement)  
22 (As enacted by Chapter 289 of the Acts of the General Assembly of 2003)

23 BY repealing and reenacting, with amendments,  
24 Article - Labor and Employment  
25 Section 5-308.1(b), 8-303(d)(1) and (e), 8-1604(c)(3), 9-602(a)(1)(i), and  
26 9-681(i)(2)  
27 Annotated Code of Maryland  
28 (1999 Replacement Volume and 2003 Supplement)

29 BY repealing and reenacting, with amendments,  
30 Article - Natural Resources  
31 Section 5-207(b); 8-716.1(g)(1), 8-743(a)(4) and (5), and the subtitle designation  
32 "Subtitle 18. Chesapeake and Atlantic Coastal Bays Critical Area  
33 Protection Program" immediately preceding Section 8-1801  
34 Annotated Code of Maryland  
35 (2000 Replacement Volume and 2003 Supplement)

36 BY repealing and reenacting, without amendments,  
37 Article - Natural Resources  
38 Section 8-1801(a)

- 1 Annotated Code of Maryland  
2 (2000 Replacement Volume and 2003 Supplement)
- 3 BY repealing and reenacting, with amendments,  
4 Article - Natural Resources  
5 Section 10-410(a)(4)  
6 Annotated Code of Maryland  
7 (2000 Replacement Volume and 2003 Supplement)  
8 (As enacted by Chapter 170 of the Acts of the General Assembly of 2003)
- 9 BY repealing and reenacting, with amendments,  
10 Article - Real Property  
11 Section 8-312(a), 11A-110(e)(4), and 13-101  
12 Annotated Code of Maryland  
13 (2003 Replacement Volume and 2003 Supplement)
- 14 BY repealing and reenacting, with amendments,  
15 Article - State Finance and Procurement  
16 Section 3-901(f)  
17 Annotated Code of Maryland  
18 (2001 Replacement Volume and 2003 Supplement)  
19 (As enacted by Chapter 161 of the Acts of the General Assembly of 2003)
- 20 BY repealing and reenacting, with amendments,  
21 Article - State Finance and Procurement  
22 Section 7-311(e)  
23 Annotated Code of Maryland  
24 (2001 Replacement Volume and 2003 Supplement)  
25 (As enacted by Chapter 203 of the Acts of the General Assembly of 2003)
- 26 BY repealing and reenacting, with amendments,  
27 Article - State Finance and Procurement  
28 Section 11-203(b)(1) and (3)  
29 Annotated Code of Maryland  
30 (2001 Replacement Volume and 2003 Supplement)
- 31 BY repealing and reenacting, with amendments,  
32 Article - State Government  
33 Section 9-915(a)(3) and 9-1406(c)  
34 Annotated Code of Maryland  
35 (1999 Replacement Volume and 2003 Supplement)
- 36 BY repealing and reenacting, with amendments,

1 Article - State Government  
2 Section 10-618(j)(3)(i)  
3 Annotated Code of Maryland  
4 (1999 Replacement Volume and 2003 Supplement)  
5 (As enacted by Chapter 110 of the Acts of the General Assembly of 2003)

6 BY repealing and reenacting, with amendments,  
7 Article - State Personnel and Pensions  
8 Section 21-304(e)(1) and 30-210(b)(2)  
9 Annotated Code of Maryland  
10 (1997 Replacement Volume and 2003 Supplement)

11 BY repealing and reenacting, with amendments,  
12 Article - Tax - General  
13 Section 2-1102, 8-410, 11-213, and 13-1101(b)(3)  
14 Annotated Code of Maryland  
15 (1997 Replacement Volume and 2003 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article - Tax - Property  
18 Section 8-224(a)(1) and 9-240(a)  
19 Annotated Code of Maryland  
20 (2001 Replacement Volume and 2003 Supplement)

21 BY repealing and reenacting, with amendments,  
22 Article - Transportation  
23 Section 3-216(c)(2)(i)  
24 Annotated Code of Maryland  
25 (2001 Replacement Volume and 2003 Supplement)

26 BY repealing and reenacting, with amendments,  
27 Article - Transportation  
28 Section 13-410(c)(1), 13-936.1(a), 13-937.1(a), 15-308(b)(2), 16-205.1(i)(3)(i)9.,  
29 21-313(b), and 26-404(f)(2)  
30 Annotated Code of Maryland  
31 (2002 Replacement Volume and 2003 Supplement)

32 BY repealing and reenacting, without amendments,  
33 Article - Transportation  
34 Section 21-507(c)  
35 Annotated Code of Maryland  
36 (2002 Replacement Volume and 2003 Supplement)

- 1 BY repealing and reenacting, with amendments,  
2 Article - Transportation  
3 Section 27-101(j)(4)(ii)  
4 Annotated Code of Maryland  
5 (2002 Replacement Volume and 2003 Supplement)  
6 (As enacted by Chapter 246 of the Acts of the General Assembly of 2003)
- 7 BY repealing and reenacting, with amendments,  
8 Chapter 702 of the Acts of the General Assembly of 2001, as amended by  
9 Chapter 464 of the Acts of the General Assembly of 2002  
10 Section 1(b)(1)
- 11 BY repealing and reenacting, with amendments,  
12 Chapter 282 of the Acts of the General Assembly of 2002  
13 Section 5
- 14 BY repealing and reenacting, with amendments,  
15 Chapter 464 of the Acts of the General Assembly of 2002  
16 Section 2(d)(1)
- 17 BY repealing and reenacting, with amendments,  
18 Chapter 53 of the Acts of the General Assembly of 2003  
19 Section 19
- 20 BY repealing and reenacting, with amendments,  
21 Chapter 143 of the Acts of the General Assembly of 2003  
22 Section 2
- 23 BY repealing and reenacting, with amendments,  
24 Chapter 203 of the Acts of the General Assembly of 2003  
25 Section 13(a) and (d) and 28
- 26 BY repealing and reenacting, with amendments,  
27 Chapter 207 of the Acts of the General Assembly of 2003  
28 Section 3(2)
- 29 BY repealing and reenacting, with amendments,  
30 Chapter 236 of the Acts of the General Assembly of 2003  
31 Section 2
- 32 BY repealing and reenacting, with amendments,  
33 Chapter 316 of the Acts of the General Assembly of 2003  
34 Section 2
- 35 BY repealing and reenacting, with amendments,

1 Chapter 398 of the Acts of the General Assembly of 2003  
2 Section 3

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
4 MARYLAND, That the Laws of Maryland read as follows:

5 **Article 2B - Alcoholic Beverages**

6 6-201.

7 (n) (6)(x) The annual [licensee] LICENSE fee is \$5,000.

8 DRAFTER'S NOTE:

9 Error: Incorrect word usage in Article 2B, § 6-201(n)(6)(x).

10 Occurred: Ch. 488, Acts of 2001.

11 8-405.

12 (a) (3) The license permits the consumption of wine authorized to be sold by  
13 the beer, [wine,] WINE and liquor license (BWL) or the beer and wine license (BW) for  
14 tasting or sampling purposes only and for which no consideration may be charged or  
15 exacted.

16 (4) The Board of License Commissioners shall regulate:

17 (i) The quantity of wine to be served to each person; AND

18 (ii) The number of bottles of wine from which this quantity is being  
19 served.

20 DRAFTER'S NOTE:

21 Error: Extraneous comma in Article 2B, § 8-405(a)(3); missing  
22 conjunction in Article 2B, § 8-405(a)(4)(i).

23 Occurred: Ch. 342, Acts of 1986.

24 15-112.

25 (y) (2) (iv) The inspector shall make an oath to perform the duties  
26 entrusted, as provided in Article I, § [9,] 9 of the Constitution of Maryland.

27 DRAFTER'S NOTE:

28 Error: Extraneous comma in Article 2B, § 15-112(y)(2)(iv).

29 Occurred: Ch. 93, Acts of 1980.

**Article 28 - Maryland-National Capital Park and Planning Commission**

2 2-104.

3 (b) In the discretion of the County Executive of Prince George's County,  
4 subject to approval by the County Council by a vote of the majority of the full Council,  
5 a member of the Commission from that county may be designated to serve on a  
6 full-time basis, and this member may be either the chairman or the vice-chairman of  
7 the Commission. The Montgomery County Council may designate a member of the  
8 Commission from that county to serve on a full-time basis provided that person has  
9 been designated by that county under the provisions of [§ 2-101] § 2-105 of this  
10 article to serve as chairman or vice-chairman of the Commission. For any member  
11 designated by Prince George's County to serve on a full-time basis, the County  
12 Council of that county, upon recommendation from the County Executive, may  
13 authorize whatever supplementary salary as may be deemed appropriate. For any  
14 member designated by Montgomery County to serve on a full-time basis, the County  
15 Council, with approval of the County Executive, may authorize whatever  
16 supplementary salary as may be appropriate. In the event the County Executive fails  
17 to approve a supplementary salary authorization by the Council within 30 days, the  
18 Council, by an affirmative vote of 6 of its members, may authorize the supplementary  
19 salary notwithstanding the lack of approval of the County Executive. Any  
20 supplementary salary authorized in this title shall be payable also from the  
21 administrative tax collected by the Commission.

22 DRAFTER'S NOTE:

23 Error: Erroneous internal cross-reference in Article 28, § 2-104(b).

24 Occurred: Ch. 892, Acts of 1975.

25 5-113.

26 (b) (4) A person receiving the citation for a Commission infraction may elect  
27 to stand trial for the offense by notifying the Commission of his intention of standing  
28 trial. The notice shall be given at least 5 days prior to the date of payment as set forth  
29 in the citation. Upon receipt of the notice of the intention to stand trial, the  
30 Commission shall forward to the District Court having venue a copy of the citation  
31 and the notice from the person who received the citation indicating his intention to  
32 stand trial. Upon receipt of the citation, the District Court shall schedule the case for  
33 trial and notify the defendant of the trial date. All fines, penalties, or forfeitures  
34 collected by the District Court for [violations of] Commission infractions shall be  
35 remitted to the Commission.

36 (5) If a person receiving a citation for an infraction fails to pay the fine  
37 for the infraction by the date of payment set forth on the citation and fails to file a  
38 notice of his intention to stand trial for the offense, a formal notice of the infraction  
39 shall be sent to the owner's last known address. If the citation has not been satisfied  
40 within 15 days from the date of the notice, he shall be liable for an additional fine not  
41 to exceed twice the original fine. If after 35 days the citation has not been satisfied,  
42 the Commission may request adjudication of the case through the District Court. The

1 District Court shall thereupon promptly schedule the case for trial and [summons]  
2 SUMMON the defendant to appear. The defendant's failure to respond to the summons  
3 is contempt of court.

4 DRAFTER'S NOTE:

5 Error: Extraneous language in Article 28, § 5-113(b)(4); incorrect word  
6 usage in Article 28, § 5-113(b)(5).

7 Occurred: Ch. 475, Acts of 1979.

8 5-114.1.

9 (g) (1) Subject to the applicable laws and regulations, this section and any  
10 agreement made under it may not impair the rights and responsibilities of the  
11 MNCPPC to:

12 (xiv) Control and regulate the use of [machinery] MACHINERY,  
13 equipment, and other property and facilities of the MNCPPC subject to negotiation  
14 related to matters affecting the health and safety of employees;

15 DRAFTER'S NOTE:

16 Error: Omitted comma in Article 28, § 5-114.1(g)(1)(xiv).

17 Occurred: Ch. 248, Acts of 2002.

18 **Article 29 - Washington Suburban Sanitary District**

19 11-109.

20 (b) (1) An employee may not be permanently removed except for cause and  
21 after an opportunity to be heard. The discharged employee may appeal to the  
22 [Secretary of Budget and Management, whose decision is final] OFFICE OF  
23 ADMINISTRATIVE HEARINGS IN ACCORDANCE WITH § 4-401 OF THE STATE  
24 PERSONNEL AND PENSIONS ARTICLE.

25 DRAFTER'S NOTE:

26 Error: Obsolete language in Article 29, § 11-109(b)(1).

27 Occurred: As a result of Ch. 347, Acts of 1996.

28 11.5-105.

29 (a) An employee organization that is certified or that seeks certification as an  
30 exclusive representative under this section shall submit to the labor relations  
31 administrator:

32 (2) Any subsequent change in the employee [organizations]  
33 ORGANIZATION'S constitution or bylaws.

1 DRAFTER'S NOTE:

2 Error: Omitted apostrophe in Article 29, § 11.5-105(a)(2).

3 Occurred: Ch. 424, Acts of 2003. Correction by the publisher of the  
4 Annotated Code in the 2003 Replacement Volume is ratified by this Act.

5 11.5-108.

6 (c) (7) This subsection does not limit an employee's right to an appeal to the  
7 Secretary of Budget and Management under [Article 29,] § 11-109(b) of [the Code]  
8 THIS ARTICLE.

9 DRAFTER'S NOTE:

10 Error: Stylistic error in Article 29, § 11.5-108(c)(7).

11 Occurred: Ch. 424, Acts of 2003. Correction by the publisher of the  
12 Annotated Code in the 2003 Replacement Volume is ratified by this Act.

13 11.5-111.

14 (c) (3) (ii) The WSSC may not alter any terms or conditions of  
15 employment that are subject to collective bargaining under § 11.5-108 OF THIS TITLE  
16 without following the process for collective bargaining under this [subtitle] TITLE.

17 DRAFTER'S NOTE:

18 Error: Stylistic error and erroneous cross-reference in Article 29, §  
19 11.5-111(c)(3)(ii).

20 Occurred: Ch. 424, Acts of 2003. Correction of the stylistic error by the  
21 publisher of the Annotated Code in the 2003 Replacement Volume is  
22 ratified by this Act.

23 **Article 31 - Debt - Public**

24 INTEREST RATE EXCHANGE AGREEMENTS

25 34.

26 (a) (1) In this section the following words have the meanings indicated.

27 (2) "Bonds" means general obligation bonds or notes, revenue bonds or  
28 notes, or other evidences of obligations by whatever name known or source of funds  
29 secured, issued by a county.

30 (3) "County" means any county in the State or Baltimore City.

31 DRAFTER'S NOTE:

1 Error: Omitted subtitle designation immediately preceding § 34 of  
2 Article 31.

3 Occurred: Ch. 235, Acts of 2003.

4 **Article 41 - Governor - Executive and Administrative Departments**

5 [2-405.

6 The Governor upon receiving the returns of election for electors to choose a  
7 President and Vice-President of the United States and for members to represent this  
8 State in the Congress of the United States shall enumerate and ascertain the number  
9 of votes given for each person voted for as member of Congress, and shall enumerate  
10 and ascertain the number of votes given for each candidate for President and  
11 Vice-President of the United States, declaring elected the presidential electors of  
12 such candidates as received the highest number of votes; and shall thereupon declare  
13 by proclamation signed by him, the name or names of the person or persons duly  
14 elected, and shall cause such proclamation to be inserted in such newspapers as he  
15 may direct.]

16 DRAFTER'S NOTE:

17 Error: Obsolete language in Article 41, § 2-405.

18 Occurred: As a result of Ch. 291, Acts of 2002. This section was revised  
19 and recodified in § 11-601 of the Election Law Article.

20 6-103.

21 (d) The Attorney General shall be the legal advisor to the Department of  
22 Human Resources. The [Secretary] ATTORNEY GENERAL shall assign to the  
23 Department such number of assistant Attorneys General as are now authorized by  
24 law to be assigned to the various departments, agencies, boards, commissions,  
25 councils, or units which are herein, or may hereafter by law be deemed to be part of  
26 the Department of Human Resources; and the [Secretary] ATTORNEY GENERAL shall  
27 also assign to the Department such additional number of assistant Attorneys General  
28 as may hereafter be authorized by law for such Department. One of the said assistant  
29 Attorneys General shall be designated by the Attorney General as counsel to the  
30 Department of Human Resources. The counsel to the Department shall have no duty  
31 other than to render, subject to the discretion and control of the Attorney General,  
32 such legal aid, advice and counsel as the Secretary and the other officials of said  
33 Department may require, and the supervision of the other assistant Attorneys  
34 General assigned to the Department. After the Attorney General has designated an  
35 assistant Attorney General to serve as counsel to the Department, the Attorney  
36 General may not reassign that counsel without consultation with the Secretary. The  
37 counsel to the Department of Human Resources, and the other assistant Attorneys  
38 General so employed, shall each perform such legal duties for the Department as the  
39 Attorney General may from time to time assign to them; and the Attorney General is  
40 hereby authorized to assign to them, and each of them, subject to the Attorney

1 General's discretion and control, the performance of any of the duties with respect to  
2 the Department required of the Attorney General by law. All such assistant Attorneys  
3 General shall be practicing lawyers of the State of Maryland, in good standing, and  
4 they shall receive such compensation as shall be provided in the State budget. This  
5 subsection shall not apply with respect to any agencies or units of government within  
6 the Department of Human Resources to the extent that such agencies or units are  
7 authorized by law to employ their own legal advisors or counsel.

8 DRAFTER'S NOTE:

9 Error: Incorrect references in Article 41, § 6-103(d).

10 Occurred: Ch. 22, Acts of 1992.

11 6-803.

12 (b) The Advisory Board shall consist of the following individuals:

13 (8) Fifteen individuals serving 2-year terms, to be appointed by the  
14 Governor, as follows:

15 (ii) Two members of the after-school provider community who  
16 represent providers not included in items (vi) and (vii) of this [subsection] ITEM;

17 DRAFTER'S NOTE:

18 Error: Stylistic error in Article 41, § 6-803(b)(8)(ii).

19 Occurred: Ch. 586, Acts of 1999.

20 14-103.

21 (c) (1) The chief executive officer of the incorporating county or  
22 municipality, or any other official designated in the administrative resolution referred  
23 to in subsection (a) OF THIS SECTION, shall execute and file the articles of  
24 incorporation with the State Department of Assessments and Taxation.

25 DRAFTER'S NOTE:

26 Error: Stylistic error in Article 41, § 14-103(c)(1).

27 Occurred: Ch. 791, Acts of 1982.

28 **Article 49D - Office for Children, Youth, and Families**

29 15.

30 (a) The members of the Council are:

31 (6) The Secretary of [the Department of] Juvenile Services or the  
32 Secretary's designee.

1 DRAFTER'S NOTE:

2 Error: Misnomer in Article 49D, § 15(a)(6).

3 Occurred: Ch. 53, Acts of 2003.

4 **Article 70B - Department of Aging**

5 11B.

6 (f) The provider shall notify the Department in writing simultaneously  
7 withdrawing any amount from the funds available to satisfy the operating reserve  
8 that is required by subsection (b) of this section. Within 30 days of such draw, the  
9 provider shall submit to the Department a written plan for restoring the funds in the  
10 reserve to the level required by subsection (b) of this section.

11 DRAFTER'S NOTE:

12 Error: Incorrect word usage in Article 70B, § 11B(f).

13 Occurred: Ch. 346, Acts of 1996. Correction by the publisher of the  
14 Annotated Code in the 2003 Replacement Volume is validated by this Act.

15 14A.

16 (a) (2) The provider shall provide assisted living services required under  
17 paragraph (1) of this subsection to a subscriber:

18 (i) At the same rate the subscriber would have to pay if an assisted  
19 living bed [was] WERE available; and

20 (b) (2) A provider shall provide the services required by paragraph (1) of this  
21 subsection:

22 (i) At the same rates a subscriber would have paid if a  
23 comprehensive bed [was] WERE available; and

24 DRAFTER'S NOTE:

25 Error: Grammatical error in Article 70B, § 14A(a)(2)(i) and (b)(2)(i).

26 Occurred: Ch. 150, Acts of 2002.

27 Senior [Citizens] CITIZEN Activities Center Operating Fund

28 33.

29 (c) "Senior [citizens] CITIZEN activities center" means a community or  
30 neighborhood facility for the organization and provision of a broad spectrum of  
31 services for senior citizens, including health, social, nutritional, educational, and  
32 recreational services.

## 1 DRAFTER'S NOTE:

2 Error: Misnomer in the subtitle designation immediately preceding § 33  
3 of Article 70B and in Article 70B, § 33(c).

4 Occurred: Ch. 635, Acts of 2000.

5 34.

6 (a) There is a Senior [Citizens] CITIZEN Activities Center Operating Fund.

7 (d) (1) The Fund shall be used to supplement any existing funding for senior  
8 [citizens] CITIZEN activities centers in the State budget.

9 (2) The Fund may not be used to supplant any existing funding for senior  
10 [citizens] CITIZEN activities centers in the State budget.

## 11 DRAFTER'S NOTE:

12 Error: Misnomer in Article 70B, § 34(a) and (d).

13 Occurred: Ch. 635, Acts of 2000.

14 35.

15 (b) Subject to subsection (c) of this section, the Fund shall be distributed to  
16 counties for senior [citizens] CITIZEN activities centers based on a competitive grant  
17 process administered by the Department.

18 (c) At least 50% of the Fund shall be distributed to qualified distressed  
19 counties for senior [citizens] CITIZEN activities centers based upon need, as  
20 determined by the Department.

## 21 DRAFTER'S NOTE:

22 Error: Misnomer in Article 70B, § 35(b) and (c).

23 Occurred: Ch. 635, Acts of 2000.

24 **Article 83A - Department of Business and Economic Development**

25 4-301.

26 (d) (2) The terms of members are staggered as required by the terms  
27 provided for members of the [Board] ADVISORY COMMITTEE on July 1, 1984.

## 28 DRAFTER'S NOTE:

29 Error: Incorrect word usage in Article 83A, § 4-301(d)(2).

30 Occurred: Ch. 716, Acts of 1984.

1 5-927.

2 (i) (2) The Authority, the Department, and the State are not liable to any  
3 lender for payment of the principal or interest on a fixed asset financing loan assisted  
4 by a linked deposit IN ACCORDANCE WITH § 5-521 OF THE COURTS ARTICLE.

5 DRAFTER'S NOTE:

6 Error: Omitted cross-reference in Article 83A, § 5-927(i)(2).

7 Occurred: As a result of Ch. 305, Acts of 2000. Correction recommended  
8 by Assistant Attorney General Kathy Rowe in bill review memo for S.B.  
9 306 (Ch. 21, Acts of 2003), April 3, 2003.

10 **Article 83C - Juvenile Services**

11 2-104.

12 (e) (3) (i) Prior to January 1, 1990, the Secretary shall develop a State  
13 Comprehensive Juvenile Justice 3-Year Plan. The Plan shall:

14 4. Set standards for the quality of residential [services, and  
15 out-reach] SERVICES AND OUTREACH services;

16 DRAFTER'S NOTE:

17 Error: Extraneous comma and incorrect hyphenation in Article 83C, §  
18 2-104(e)(3)(i)4.

19 Occurred: Ch. 539, Acts of 1989.

20 2-128.

21 (a) (2) On the basis of the comparative [work load] WORKLOAD of any  
22 court, the Secretary shall provide the court with an adequate staff and adequate  
23 variety of staff. However, except with the consent of its judges, a court may not be  
24 assigned a smaller staff than authorized as of July 1, 1986.

25 (b) Within this formula, the judge of any court may ask for the additional  
26 clerical and professional court service staff that the [work load] WORKLOAD of the  
27 court requires, and the Secretary shall consider and respond to the request in  
28 accordance with §§ 2-126 and 2-127 of this article.

29 DRAFTER'S NOTE:

30 Error: Incorrect word usage in Article 83C, § 2-128(a)(2) and (b).

31 Occurred: Ch. 21, Acts of 1982.

1 **Article - Business Occupations and Professions**

2 1-101.

3 (f) "Partnership" includes a partnership registered as a limited liability  
4 partnership authorized by [Title 9 or] Title 9A of the Corporations and Associations  
5 Article.

6 DRAFTER'S NOTE:

7 Error: Obsolete cross-reference in § 1-101(f) of the Business Occupations  
8 and Professions Article.

9 Occurred: As a result of Ch. 743, Acts of 1998.

10 5-307.

11 (d) (1) Except as provided in [subsection] PARAGRAPH (2) of this [section]  
12 SUBSECTION, the Board shall determine the subjects, scope, and form of and the  
13 passing score for examinations given under this subtitle.

14 DRAFTER'S NOTE:

15 Error: Stylistic errors in § 5-307(d)(1) of the Business Occupations and  
16 Professions Article.

17 Occurred: Ch. 125, Acts of 2003. Partial correction by the publisher of the  
18 Annotated Code in the 2003 Supplement of the Business Occupations and  
19 Professions Article is ratified by this Act.

20 9-304.

21 An applicant for a license shall:

22 (1) submit to the Board an application on the form that the Board  
23 provides; and

24 (2) pay to the Board or the Board's designee:

25 (i) a nonrefundable application fee set by the Board; and

26 (ii) an examination fee set by the Board in an amount not to exceed  
27 the cost of the required examination.

28 DRAFTER'S NOTE:

29 Error: Missing conjunction "and" between § 9-304(2)(i) and (ii) of the  
30 Business Occupations and Professions Article.

31 Occurred: Ch. 227, Acts of 2003. Correction by the publisher of the  
32 Annotated Code in the 2003 Supplement of the Business Occupations and

1 Professions Article is validated by this Act.

2 15-101.

3 (e) (2) "License" includes, unless the context requires otherwise:

4 (i) a license to practice land surveying; AND

5 (ii) a license to practice property line surveying[;

6 (iii) a limited license issued under § 15-316 of this title; and

7 (iv) a temporary license issued under § 15-317 of this title].

8 DRAFTER'S NOTE:

9 Error: Obsolete cross-references in § 15-101(e)(2) of the Business  
10 Occupations and Professions Article.

11 Occurred: As a result of Ch. 384, Acts of 2003.

12 **Article - Business Regulation**

13 4-407.

14 (a) Except as provided in § 10-226 of the State Government Article, before the  
15 Secretary takes any final action under § 4-405(b), § 4-406, OR § 4-416 of this subtitle,  
16 the Secretary shall give the person against whom the action is contemplated an  
17 opportunity for a hearing before the Secretary.

18 DRAFTER'S NOTE:

19 Error: Omitted conjunction in § 4-407(a) of the Business Regulation  
20 Article.

21 Occurred: Ch. 421, Acts of 2003. Correction by the publisher of the  
22 Annotated Code in the 2003 Supplement of the Business Regulation Article  
23 is ratified by this Act.

24 4-416.

25 (b) [(1)] To determine the amount of the penalty, the Secretary shall consider:

26 [(i)] (1) the seriousness of the violation;

27 [(ii)] (2) the harm caused by the violation;

28 [(iii)] (3) the good faith of the violator;

29 [(iv)] (4) any history of previous violations by the violator; and

1 [(v)] (5) any other relevant factors.

2 DRAFTER'S NOTE:

3 Error: Tabulation errors in § 4-416(b) of the Business Regulation Article.

4 Occurred: Ch. 421, Acts of 2003. Correction by the publisher of the  
5 Annotated Code in the 2003 Supplement of the Business Regulation Article  
6 is ratified by this Act.

7 4-417.

8 In applying and construing this [uniform act] SUBTITLE, consideration must be  
9 given to the need to promote uniformity of the law with respect to its subject matter  
10 among states that enact it.

11 DRAFTER'S NOTE:

12 Error: Stylistic error in § 4-417 of the Business Regulation Article.

13 Occurred: Ch. 421, Acts of 2003. Correction by the publisher of the  
14 Annotated Code in the 2003 Supplement of the Business Regulation Article  
15 is ratified by this Act.

16 4.5-101.

17 (e) "Exempt lender" means a lender exempt from the requirements of  
18 registration as provided in § 4.5-501(c) OF THIS TITLE.

19 DRAFTER'S NOTE:

20 Error: Stylistic error in § 4.5-101(e) of the Business Regulation Article.

21 Occurred: Ch. 522, Acts of 2000.

22 9A-308.

23 (a) If an applicant passes the examination required by the Board and  
24 otherwise qualifies for a master, master restricted, or limited heating, ventilation,  
25 air-conditioning, and refrigeration contractor license under this title, the Board shall  
26 send the applicant a notice that states:

27 (2) the Board will issue the license to an applicant on receipt of:

28 (i) proof of insurance as required under [§ 9-402] § 9A-402 of this  
29 [article] TITLE; and

30 DRAFTER'S NOTE:

31 Error: Erroneous cross-reference in § 9A-308(a)(2)(i) of the Business  
32 Regulation Article.

1 Occurred: Ch. 649, Acts of 1992.

2 9A-309.

3 (d) (2) If an individual wishes to renew a license on inactive status, the  
4 individual shall meet the requirements of [items (b)(1), (b)(2), and (b)(3)(ii)]  
5 SUBSECTION (B)(1), (2), AND (3)(II) of this section.

6 DRAFTER'S NOTE:

7 Error: Stylistic error in § 9A-309(d)(2) of the Business Regulation Article.

8 Occurred: Ch. 436, Acts of 1994.

9 10-323.2.

10 (a) (3) The Motor Fuel Tax [Unit] DIVISION may determine that compliance  
11 with a federal notice provision that is substantially similar to a notice requirement of  
12 this subsection satisfies that notice requirement of this subsection.

13 DRAFTER'S NOTE:

14 Error: Misnomer in § 10-323.2(a)(3) of the Business Regulation Article.

15 Occurred: Ch. 21, Acts of 2003.

16

#### **Article - Commercial Law**

17 12-410.

18 (a) (5) (i) "Credit life insurance" means insurance on the life of a borrower  
19 that provides indemnity for repayment of a specific loan or credit transaction on the  
20 death of the [borrower; and] BORROWER.

21 (ii) "Credit life insurance" does not include life insurance payable to  
22 a beneficiary designated by the borrower other than the obligee of a specific loan or  
23 credit transaction.

24 DRAFTER'S NOTE:

25 Error: Incorrect punctuation and extraneous conjunction in §  
26 12-410(a)(5)(i) of the Commercial Law Article.

27 Occurred: Ch. 532, Acts of 2002.

1 13-301.

2 Unfair or deceptive trade practices include any:

3 (9) Deception, fraud, false pretense, false premise, misrepresentation, or  
4 knowing concealment, suppression, or omission of any material fact with the intent  
5 that a consumer rely on the same in connection with:

6 (i) The promotion or sale of any consumer goods, consumer realty,  
7 or consumer service; [or]

8 (14) Violation of a provision of:

9 (xix) Title 14, Subtitle 26 of this article, the Maryland Door-to-Door  
10 Solicitations Act; OR

11 DRAFTER'S NOTE:

12 Error: Extraneous conjunction in § 13-301(9)(i); omitted conjunction in §  
13 13-301(14)(xix) of the Commercial Law Article.

14 Occurred: Ch. 49, Acts of 1975; Ch. 543, Acts of 2002.

15 **Article - Corporations and Associations**

16 1-203.

17 (a) In addition to any organization and capitalization fee required under §  
18 1-204 of this article, the Department shall collect the [following] fees[:] SPECIFIED  
19 IN SUBSECTION (B) OF THIS SECTION.

20 (b) (4) For each of the following documents recorded or filed the fee is \$100:

21 (ii) Any statement filed by a partnership under [Title 9] TITLE 9A  
22 of this article.

23 (6) For a duplicate of a certificate mentioned in [subsection]  
24 PARAGRAPH (5) of this [section] SUBSECTION which is issued at the same time as the  
25 original, the fee is \$1, and for a copy of any other paper recorded or filed with the  
26 Department, the fee is \$1 per page.

27 (7) (ii) Each county and Baltimore City is exempt from the fee under  
28 [paragraph (7)(i) of this section] SUBPARAGRAPH (I) OF THIS PARAGRAPH.

29 DRAFTER'S NOTE:

30 Error: Stylistic and punctuation errors in § 1-203(a); erroneous  
31 cross-reference in § 1-203(b)(4)(ii); stylistic errors in § 1-203(b)(6) and  
32 (7)(ii) of the Corporations and Associations Article.

33 Occurred: Section 1-203(a), as a result of Ch. 203, Acts of 2003; §

1 1-203(b)(4)(ii), as a result of Ch. 743, Acts of 1998; § 1-203(b)(6), Ch. 311,  
2 Acts of 1975; § 1-203(b)(7)(ii), Ch. 897, Acts of 1982.

3 4A-702.

4 (d) A partnership shall approve the merger under the provisions of [§ 9-902]  
5 § 9A-902 of this article.

6 DRAFTER'S NOTE:

7 Error: Erroneous cross-reference in § 4A-702(d) of the Corporations and  
8 Associations Article.

9 Occurred: As a result of Ch. 743, Acts of 1998.

10 4A-703.

11 Articles of merger shall:

12 (2) Be executed:

13 (iv) In the case of a partnership, in the manner required by [Title  
14 9] TITLE 9A of this article; and

15 DRAFTER'S NOTE:

16 Error: Erroneous cross-reference in § 4A-703(2)(iv) of the Corporations  
17 and Associations Article.

18 Occurred: As a result of Ch. 743, Acts of 1998.

19 5-632.

20 (d) (1) (i) On the Department's acceptance for record of the certificate of  
21 election to dissolve [an] AND affidavit, the cooperative shall cease doing business  
22 except to the extent necessary to wind up its business and affairs.

23 DRAFTER'S NOTE:

24 Error: Incorrect word in § 5-632(d)(1)(i) of the Corporations and  
25 Associations Article.

26 Occurred: Ch. 21, Acts of 2003. Correction by the publisher of the  
27 Annotated Code in the 2003 Supplement of the Corporations and  
28 Associations Article is ratified by this Act.

29 10-108.

30 The provisions of [Title 9] TITLE 9A of this article with respect to partnerships  
31 shall apply to limited partnerships except to the extent that those provisions are  
32 inconsistent with or are modified by the provisions of this title.

## 1 DRAFTER'S NOTE:

2 Error: Erroneous cross-reference in § 10-108 of the Corporations and  
3 Associations Article.

4 Occurred: As a result of Ch. 743, Acts of 1998.

5 10-208.

6 (c) The proposed merger shall be approved in the manner provided by this  
7 subsection:

8 (2) Unless the partnership agreement provides otherwise, a partnership  
9 shall approve the proposed merger in accordance with the provisions of [Title 9]  
10 TITLE 9A of this article;

11 (d) Articles of merger containing provisions required by § 3-109 of this article  
12 and other provisions permitted by that section shall be:

13 (1) Executed:

14 (iii) In the case of a partnership, in the manner required by [Title  
15 9] TITLE 9A of this article; and

16 (e) (1) Unless the articles of merger provide otherwise, a proposed merger or  
17 consolidation may be abandoned before the effective date of the articles by:

18 (v) A vote of the partners of a partnership party to the articles as  
19 provided under [Title 9] TITLE 9A of this article.

## 20 DRAFTER'S NOTE:

21 Error: Erroneous cross-references in § 10-208(c)(2), (d)(1)(iii), and  
22 (e)(1)(v) of the Corporations and Associations Article.

23 Occurred: As a result of Ch. 743, Acts of 1998.

24 10-805.

25 (a) A limited partnership may register as a limited liability partnership under  
26 [§ 9-801 or] § 9A-1001 of this article by:

27 (1) Including, in the limited partnership's certificate of limited  
28 partnership filed under § 10-201 of this title or in an amendment of its certificate of  
29 limited partnership filed under § 10-202 of this title, the information described in [§  
30 9-801(a)] § 9A-1001(A) of this article; and

31 (2) Using a name that complies with the requirements of Title 1, Subtitle  
32 5 of this article.

1 (b) (1) Subject to paragraph (2) of this subsection, the provisions of [Title 9]  
 2 TITLE 9A of this article that apply to limited liability partnerships shall apply to a  
 3 limited partnership that has registered as a limited liability partnership.

4 (2) In applying [Title 9, Subtitle 8] TITLE 9A, SUBTITLE 10 of this article  
 5 to a limited partnership, all references to a partner shall mean a general partner.

6 (c) If a limited partnership is a registered limited liability partnership, [§  
 7 9-307] § 9A-306 of this article applies to its general partners and to any of its limited  
 8 partners who, under other provisions of this title, are liable for the debts, obligations,  
 9 or liabilities of the limited partnership.

10 (d) A limited partnership that has registered as a limited liability partnership  
 11 may withdraw such registration by complying with [§ 9-801(e)] § 9A-1001(E) of this  
 12 article.

13 DRAFTER'S NOTE:

14 Error: Erroneous cross-references in § 10-805 of the Corporations and  
 15 Associations Article.

16 Occurred: As a result of Ch. 743, Acts of 1998.

17 **Article - Correctional Services**

18 3-904.

19 (l) This section does not affect the power of the Governor to stay execution of  
 20 a sentence of death under § 3-902(f) of this subtitle or to commute a sentence of death  
 21 under [Article 41, § 4-513 of the Code] § 7-601 OF THIS ARTICLE.

22 DRAFTER'S NOTE:

23 Error: Erroneous cross-reference in § 3-904(l) of the Correctional  
 24 Services Article.

25 Occurred: As a result of Ch. 54, Acts of 1999.

26 **Article - Courts and Judicial Proceedings**

27 1-603.

28 (d) To assure that the services of the District Court are readily and practicably  
 29 available in all areas of District [8, subject to the time limits contained in this  
 30 subsection,] 8 and to assure that these services are provided to all citizens of District  
 31 8 with a minimum of inconvenience and a maximum of availability, there shall be a  
 32 court facility physically located in each of the following areas of that district, and at  
 33 least one judge shall sit regularly in each location:

34 (1) The Towson area;

1 (2) The Catonsville area; and

2 (3) The Essex area.

3 DRAFTER'S NOTE:

4 Error: Extraneous language in § 1-603(d) of the Courts and Judicial  
5 Proceedings Article.

6 Occurred: As a result of Ch. 21, Acts of 2003.

7 2-104.

8 (d) In Montgomery County, every deputy clerk or DEPUTY sheriff shall take  
9 and sign the oath or affirmation prescribed by Article I, § 9 of the Maryland  
10 Constitution.

11 DRAFTER'S NOTE:

12 Error: Omitted word in § 2-104(d) of the Courts and Judicial Proceedings  
13 Article.

14 Occurred: Ch. 427, Acts of 2003.

15 3-8A-19.

16 (e) (1) (ii) In this [paragraph ] PARAGRAPH, "driver's license" means a  
17 license or permit to drive a motor vehicle that is issued under the laws of this State or  
18 any other jurisdiction.

19 DRAFTER'S NOTE:

20 Error: Omitted comma in § 3-8A-19(e)(1)(ii) of the Courts and Judicial  
21 Proceedings Article.

22 Occurred: Ch. 304, Acts of 1991.

23 5-106.

24 (n) A prosecution for an offense of the controlled hazardous substance law  
25 under § 7-265(b) of the Environment [Article,] ARTICLE shall be instituted within 2  
26 years after commission of the offense.

27 DRAFTER'S NOTE:

28 Error: Extraneous comma in § 5-106(n) of the Courts and Judicial  
29 Proceedings Article.

30 Occurred: Ch. 768, Acts of 1986.

1 5-406.

2 (a) (4) "Athletic club" means a club organized and operated exclusively for  
3 recreational [purposes,] PURPOSES that is exempt from taxation under § 501(c)(7) of  
4 the Internal Revenue Code.

5 DRAFTER'S NOTE:

6 Error: Extraneous comma in § 5-406(a)(4) of the Courts and Judicial  
7 Proceedings Article.

8 Occurred: Ch. 694, Acts of 1987.

9 5-407.

10 (e) The provisions of this section do not apply to suits brought by the Attorney  
11 General upon referral by the Secretary of State in which willful violations of [Article  
12 41, §§ 3-201 through 3-214 of the Code] TITLE 6, SUBTITLES 3, 4, 5, AND 6 OF THE  
13 BUSINESS REGULATION ARTICLE are alleged and proven.

14 DRAFTER'S NOTE:

15 Error: Erroneous cross-reference in § 5-407(e) of the Courts and Judicial  
16 Proceedings Article.

17 Occurred: As a result of Ch. 4, Acts of 1992.

18 5-521.

19 (b) The Department and the State are not liable to any lender for payment of  
20 the principal or interest on a loan to an eligible business IN ACCORDANCE WITH  
21 ARTICLE 83A, § 5-927 OF THE CODE.

22 DRAFTER'S NOTE:

23 Error: Omitted cross-reference in § 5-521(b) of the Courts and Judicial  
24 Proceedings Article.

25 Occurred: As a result of Ch. 546, Acts of 1990. Correction recommended  
26 by Assistant Attorney General Kathy Rowe in bill review memo for S.B.  
27 306 (Ch. 21, Acts of 2003), April 3, 2003.

28 7-409.

29 (a) (2) "Crime" means an act committed by a person in the State that is:

30 (iii) A crime under Title 14, Subtitle 29, § 11-810, [§ 14-1316,] or §  
31 14-1317 of the Commercial Law Article;

32 (xvi) A crime under [§ 109] CHAPTER 110-1 of the Code of Public  
33 Local Laws of Caroline County;

## 1 DRAFTER'S NOTE:

2 Error: Erroneous cross-references in § 7-409(a)(2)(iii) and (xvi) of the  
3 Courts and Judicial Proceedings Article.

4 Occurred: Error in § 7-409(a)(2)(iii) as a result of Chs. 374 and 375, Acts  
5 of 2003. Error in § 7-409(a)(2)(xvi) as a result of Ch. 21, Acts of 2003.  
6 Correction of § 7-409(a)(2)(iii) by the publisher of the Annotated Code in  
7 the 2003 Supplement of the Courts and Judicial Proceedings Article is  
8 ratified by this Act.

9 10-205.

10 (b) Records, reports, statements, notes, or information assembled or obtained  
11 by the State Department of Health and Mental Hygiene, the Maryland Commission to  
12 Study Problems of Drug Addiction, the Medical and Chirurgical Faculty or its allied  
13 medical societies, the Maryland Institute for Emergency Medical Services Systems,  
14 an in-hospital staff committee, or a national organized medical society or research  
15 group that are declared confidential by § 4-102 of the Health - General Article or [§  
16 14-503] § 14-506 of the Health Occupations Article, are not admissible in evidence in  
17 any proceeding.

## 18 DRAFTER'S NOTE:

19 Error: Erroneous cross-reference in § 10-205(b) of the Courts and  
20 Judicial Proceedings Article.

21 Occurred: As a result of Ch. 158, Acts of 2002 and Ch. 21, Acts of 2003.

22 11-108.

23 (a) (4) "Secondary claimant" means a claimant in an action for the death of  
24 a person described under [§ 3-904(b)] § 3-904(E) of this article.

## 25 DRAFTER'S NOTE:

26 Error: Erroneous cross-reference in § 11-108(a)(4) of the Courts and  
27 Judicial Proceedings Article.

28 Occurred: Ch. 61, Acts of 2000.

29 12-302.

30 (d) Section 12-301 OF THIS SUBTITLE does not permit an appeal from the  
31 decision of the judges of a circuit court sitting in banc pursuant to Article IV, § 22 of  
32 the Constitution, if the party seeking to appeal is the party who moved to have the  
33 point or question reserved for consideration of the court in banc.

34 (e) Section 12-301 OF THIS SUBTITLE does not permit an appeal from a final  
35 judgment entered following a plea of guilty in a circuit court. Review of such a  
36 judgment shall be sought by application for leave to appeal.

## 1 DRAFTER'S NOTE:

2 Error: Stylistic errors in § 12-302(d) and (e) of the Courts and Judicial  
3 Proceedings Article.

4 Occurred: Ch. 2, Acts of the First Special Session of 1973; Ch. 295, Acts of  
5 1983.

6 **Article - Criminal Law**

7 Subtitle 4. [Same -] Review by Court of Appeals.

8 2-401.

9 (a) (1) After a death sentence is imposed and the judgment becomes final,  
10 the Court of Appeals shall review the sentence on the record.

## 11 DRAFTER'S NOTE:

12 Error: Erroneous subtitle designation immediately preceding § 2-401 of  
13 the Criminal Law Article.

14 Occurred: Ch. 26, Acts of 2002.

15 3-802.

16 (a) In this section, "stalking" means a malicious course of conduct that  
17 includes approaching or pursuing another where the person intends to place or knows  
18 or reasonably should have known the conduct would place another in reasonable fear  
19 [of]:

20 (1) (i) OF serious bodily injury;

21 (ii) OF an assault in any degree;

22 (iii) OF rape or sexual offense as defined by §§ 3-303 through 3-308  
23 of this article or attempted rape or sexual offense in any degree;

24 (iv) OF false imprisonment; or

25 (v) OF death; or

26 (2) that a third person likely will suffer any of the acts listed in  
27 [paragraph] ITEM (1) of this subsection.

## 28 DRAFTER'S NOTE:

29 Error: Grammatical and stylistic errors in § 3-802(a) of the Criminal  
30 Law Article.

31 Occurred: Ch. 313, Acts of 2003.

1 3-902.

2 (a) (3) (i) "Private place" means a room in which a person can reasonably  
3 be expected to fully or partially disrobe and has a reasonable expectation of privacy,  
4 in:

- 5 1. an office, business, or store;
- 6 2. a recreational facility;
- 7 3. a restaurant or tavern;
- 8 4. a hotel, motel, or other lodging facility;
- 9 5. a theater or sports arena;
- 10 6. a school or other educational institution;
- 11 7. a bank or other financial institution;
- 12 8. any part of a day care home used for the care and custody  
13 of a child; or
- 14 9. another place of public use or accommodation.

15 DRAFTER'S NOTE:

16 Error: Grammatical error in § 3-902(a)(3)(i) of the Criminal Law Article.

17 Occurred: Ch. 165, Acts of 2003. Correction by the publisher of the  
18 Annotated Code in the 2003 Supplement of the Criminal Law Article is  
19 validated by this Act.

20 4-203.

21 (b) This section does not prohibit:

22 (1) the wearing, carrying, or transporting of a handgun by a person who  
23 is on active assignment engaged in law enforcement, is authorized at the time and  
24 under the circumstances to wear, carry, or transport the handgun as part of the  
25 person's official equipment, and is:

- 26 (vi) a temporary or part-time [sheriffs'] SHERIFF'S deputy;

27 DRAFTER'S NOTE:

28 Error: Misplaced apostrophe in § 4-203(b)(1)(vi) of the Criminal Law  
29 Article.

30 Occurred: Ch. 26, Acts of 2002.

1 5-609.

2 (b) (1) A person who is convicted under subsection (a) of this section or of  
3 conspiracy to commit a crime included in subsection (a) of this section shall be  
4 sentenced to imprisonment for not less than 10 years and is subject to a fine not  
5 exceeding \$100,000 if the person previously has been convicted once:

6 (i) under subsection (a) of this section or § 5-608 of this subtitle;

7 (ii) of conspiracy to commit a crime included in subsection (a) of this  
8 section or § 5-608 of this subtitle; [or]

9 (iii) of a crime under the laws of another state or the United States  
10 that would be a crime included in subsection (a) of this section or § 5-608 of this  
11 subtitle if committed in this State; or

12 (iv) of any combination of these crimes.

13 DRAFTER'S NOTE:

14 Error: Extraneous conjunction in § 5-609(b)(1)(ii) of the Criminal Law  
15 Article.

16 Occurred: Ch. 26, Acts of 2002.

17 [Part I. In General.]

18 6-501.

19 In this subtitle, "railroad vehicle" includes a car, carriage, engine, locomotive, or  
20 tender.

21 DRAFTER'S NOTE:

22 Error: Erroneous part designation immediately preceding § 6-501 of the  
23 Criminal Law Article.

24 Occurred: Ch. 335, Acts of 2002. Correction by the publisher of the  
25 Annotated Code in the 2002 Volume of the Criminal Law Article is ratified  
26 by this Act.

27 8-301.

28 (d) (1) A person who violates this section where the benefit, credit, [goods,  
29 services,] GOOD, SERVICE, or other thing of value that is the subject of subsection (b)  
30 or (c) of this section has a value of \$500 or greater is guilty of a felony and on  
31 conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding  
32 \$25,000 or both.

33 (2) A person who violates this section where the benefit, credit, [goods,  
34 services,] GOOD, SERVICE, or other thing of value that is the subject of subsection (b)

1 or (c) of this section has a value of less than \$500 is guilty of a misdemeanor and on  
2 conviction is subject to imprisonment not exceeding 18 months or a fine not exceeding  
3 \$5,000 or both.

4 (5) When the violation of this section is pursuant to one scheme or  
5 continuing course of conduct, whether from the same or several sources, the conduct  
6 may be considered as one violation and the value of the benefit, credit, [goods,  
7 services,] GOOD, SERVICE, or other thing of value may be aggregated in determining  
8 whether the violation is a felony or misdemeanor.

9 DRAFTER'S NOTE:

10 Error: Incorrect word usage in § 8-301(d)(1), (2), and (5) of the Criminal  
11 Law Article.

12 Occurred: Ch. 509, Acts of 2002.

13 8-607.

14 (b) A person may not:

15 (4) have and willfully conceal a counterfeit public seal, if the person  
16 knows that it was [counterfeit] COUNTERFEITED.

17 DRAFTER'S NOTE:

18 Error: Grammatical error in § 8-607(b)(4) of the Criminal Law Article.

19 Occurred: Ch. 26, Acts of 2002.

20 8-608.

21 (a) A person may not:

22 (4) have and willfully conceal a counterfeit stamp of the Comptroller, if  
23 the person knows that it was [counterfeit] COUNTERFEITED.

24 DRAFTER'S NOTE:

25 Error: Grammatical error in § 8-608(a)(4) of the Criminal Law Article.

26 Occurred: Ch. 26, Acts of 2002.

27 8-609.

28 (b) A person may not:

29 (2) with intent to defraud another, issue, publish, or pass a counterfeit  
30 order for money or goods, if the person knows it was [counterfeit] COUNTERFEITED;  
31 or

1 DRAFTER'S NOTE:

2 Error: Grammatical error in § 8-609(b)(2) of the Criminal Law Article.

3 Occurred: Ch. 26, Acts of 2002.

4 10-615.

5 (b) (2) (i) An animal that a medical and scientific research facility  
6 possesses may be removed under this subsection only after review by and a  
7 recommendation from the Department of Health and Mental Hygiene, [Division of  
8 Veterinary Medicine] CENTER FOR VETERINARY PUBLIC HEALTH.

9 DRAFTER'S NOTE:

10 Error: Misnomer in § 10-615(b)(2)(i) of the Criminal Law Article.

11 Occurred: As a result of administratively changed Division name.

12 Title 13. [Same] GAMING - Local Provisions.

13 13-101.

14 Activities conducted under this title are allowed notwithstanding the provisions  
15 of Title 12, Subtitles 1 and 2 of this article.

16 DRAFTER'S NOTE:

17 Error: Erroneous title designation immediately preceding § 13-101 of  
18 the Criminal Law Article.

19 Occurred: Ch. 26, Acts of 2002.

20 14-101.

21 (a) In this section, "crime of violence" means:

22 (6) maiming, as previously proscribed under FORMER Article 27, §§ 385  
23 and 386 of the Code;

24 DRAFTER'S NOTE:

25 Error: Omitted word in § 14-101(a)(6) of the Criminal Law Article.

26 Occurred: Ch. 26, Acts of 2002.

1

**Article - Criminal Procedure**

2 2-209.

3 (a) In this section, "Montgomery County fire and explosive investigator"  
4 means an individual who:

5 (2) (ii) has successfully completed A TRAINING PROGRAM AT an  
6 approved police training school [as defined in § 3-201(a)] UNDER § 3-207 of the Public  
7 Safety Article.

8 DRAFTER'S NOTE:

9 Error: Incorrect word usage and erroneous cross-reference in §  
10 2-209(a)(2)(ii) of the Criminal Procedure Article.

11 Occurred: Ch. 339, Acts of 2003.

12 8-201.

13 (a) (1) In this section the following words have the meanings indicated.

14 (2) "BIOLOGICAL EVIDENCE" INCLUDES, BUT IS NOT LIMITED TO, ANY  
15 BLOOD, HAIR, SALIVA, SEMEN, EPITHELIAL CELLS, BUCCAL CELLS, OR OTHER BODILY  
16 SUBSTANCES FROM WHICH GENETIC MARKER GROUPINGS MAY BE OBTAINED.

17 (3) "DNA" means deoxyribonucleic acid.

18 [(3)] (4) "Law enforcement agency" means any of the following:

19 (i) a municipal or county police department;

20 (ii) sheriff's office;

21 (iii) the Maryland State Police;

22 (iv) any prosecuting authority;

23 (v) any state, university, county, or municipal police unit or police  
24 force; and

25 (vi) any hospital, medical facility, or private entity that is  
26 conducting forensic examinations and securing biological evidence related to criminal  
27 investigations.

28 [(4) "Biological evidence" includes, but is not limited to, any blood, hair,  
29 saliva, semen, epithelial cells, buccal cells, or other bodily substances from which  
30 genetic marker groupings may be obtained.]

31 (5) "Scientific identification evidence" means evidence that:

1 (i) is related to an investigation or prosecution that resulted in a  
2 judgment of conviction;

3 (ii) is in the actual or constructive possession of a law enforcement  
4 agency or agent of a law enforcement agency; and

5 (iii) contains biological evidence from which DNA may be recovered  
6 that may produce exculpatory or mitigating evidence relevant to a claim of a  
7 convicted person of wrongful conviction or sentencing if subject to DNA testing.

8 (b) Notwithstanding any other law governing postconviction relief, a person  
9 who is convicted of a violation of § 2-201, § 2-204, § 2-207, or §§ 3-303 through  
10 [3-307] 3-306 of the Criminal Law Article may file a petition for DNA testing of  
11 scientific identification evidence that the State possesses as provided in subsection (i)  
12 of this section and that is related to the judgment of conviction.

13 DRAFTER'S NOTE:

14 Error: Stylistic error in § 8-201(a); erroneous cross-reference in §  
15 8-201(b) of the Criminal Procedure Article.

16 Occurred: Ch. 240, Acts of 2003; Ch. 213, Acts of 2002.

17 11-603.

18 (a) A court may enter a judgment of restitution that orders a defendant or  
19 child respondent to make restitution in addition to any other penalty for the  
20 commission of a crime or delinquent act, if:

21 (6) the Department of Health and Mental Hygiene or other  
22 governmental unit paid expenses incurred under Subtitle [2,] 1, Part II of this title.

23 DRAFTER'S NOTE:

24 Error: Erroneous cross-reference in § 11-603(a)(6) of the Criminal  
25 Procedure Article.

26 Occurred: Ch. 10, Acts of 2001.

{secnum}11-721.

27 (a) A registrant may not knowingly fail to register, knowingly fail to provide  
28 the written notice required under [§ 11-705(d), § 11-705(e), or § 11-705(f)] §  
29 11-705(D), (E), OR (F) of this subtitle, or knowingly provide false information of a  
30 material fact as required by this subtitle.

31 DRAFTER'S NOTE:

32 Error: Stylistic error in § 11-721(a) of the Criminal Procedure Article.

1 Occurred: Ch. 194, Acts of 2002.

2 **Article - Education**

3 4-205.

4 (k) [(1)] The county superintendent shall:

5 [(i)] (1) Take the initiative in the preparation and presentation of  
6 the annual school budget; and

7 [(ii)] (2) Seek in every way to secure adequate funds from local  
8 authorities for the support and development of the public schools in the county.

9 DRAFTER'S NOTE:

10 Error: Stylistic error in § 4-205(k) of the Education Article.

11 Occurred: Ch. 21, Acts of 2003. Correction by the publisher of the  
12 Annotated Code in the 2003 Supplement to the Education Article is  
13 ratified by this Act.

14 7-101.

15 (d) Section 4-122.1 of this article shall apply to the education funding of a  
16 child in an informal kinship care relationship if the fiscal impact of the requirements  
17 of [subsection (c)] SUBSECTIONS (B) AND (C) of this section exceed 0.1% of a county  
18 board's total operating budget for a fiscal year.

19 DRAFTER'S NOTE:

20 Error: Incomplete cross-reference in § 7-101(d) of the Education Article.

21 Occurred: Ch. 207, Acts of 2003.

22 7-305.1.

23 (i) The county board shall pay to the juvenile services alternative education  
24 [pilot] program the basic current expenses per pupil for each student transferred to  
25 the juvenile services alternative education [pilot] program from the county's schools.

26 DRAFTER'S NOTE:

27 Error: Misnomer in § 7-305.1(i) of the Education Article.

28 Occurred: Ch. 433, Acts of 2003.

29 7-403.

30 (a) (1) In cooperation with the State Board and the Medical and Chirurgical  
31 Faculty of Maryland, the Department of Health and Mental Hygiene shall adopt rules

1 and regulations regarding blood tests for lead poisoning required of children entering  
2 schools.

3           (2)       In cooperation with the State Board and the Statewide Advisory  
4 Commission on Immunizations, the Department of Health and Mental Hygiene shall  
5 adopt rules and regulations regarding immunizations required of children entering  
6 schools.

7           (3)       These rules and regulations shall:

8                   (i)       Be adopted in compliance with the Administrative Procedure  
9 Act;

10                   (ii)       Provide that any child may have the immunization  
11 administered by his personal physician; and

12                   (iii)       1.       By September 2003, in areas designated as at risk for lead  
13 poisoning, as determined under § 18-106 of the Health - General Article, when a  
14 child enters a public prekindergarten program, kindergarten program, or first grade,  
15 require the parent or legal guardian of the child to provide documentation from a  
16 health care provider, on a form developed by the Department of Health and Mental  
17 Hygiene, certifying that the child has undergone blood testing for lead poisoning  
18 administered in accordance with the guidelines of the Centers for Disease Control and  
19 Prevention in the screening of young children for lead poisoning: Guidance for State  
20 and Local Public Health Officials (November 1997) and any subsequent guidelines;  
21 and

22                                   2.       By September 2003, require a program or school to report  
23 the name, last known address, and telephone number of each child for whom certified  
24 documentation of a lead test is not provided under item 1 of this item, as determined  
25 by regulation, to the local health department in the jurisdiction where the child  
26 resides.

27                   [(3)]       (4)       Any requirement for the administration of pertussis vaccine  
28 shall be consistent with § 18-332(b) of the Health - General Article.

29 DRAFTER'S NOTE:

30       Error: Tabulation error in § 7-403(a) of the Education Article.

31       Occurred: Ch. 178, Acts of 2003. Correction by the publisher of the  
32 Annotated Code in the 2003 Supplement to the Education Article is  
33 ratified by this Act.

34 8-310.

35       (a)       (2)       Each county governing body shall include a child sent to the  
36 Maryland School for the Blind under paragraph (1) of this subsection in the full-time  
37 equivalent enrollment used for calculating the required local funds appropriated  
38 under § 5-202(d) of this [title] ARTICLE.

## 1 DRAFTER'S NOTE:

2 Error: Stylistic error in § 8-310(a)(2) of the Education Article.

3 Occurred: Ch. 458, Acts of 2003. Correction by the publisher of the  
4 Annotated Code in the 2003 Supplement to the Education Article is  
5 ratified by this Act.

6 8-412.

7 (c) Any request to the local school superintendent for the appointment of a  
8 parent surrogate under subsection (b) OF THIS SECTION shall include:

9 (1) The name, date of birth, sex, legal domicile, and present residence of  
10 the child;

11 (2) A statement that the child is eligible for the appointment of a parent  
12 surrogate in accordance with subsection (b) of this section;

13 (3) Documentation, as applicable, of the efforts made to identify the  
14 parent if unknown or to locate the parent if unavailable; and

15 (4) The name and qualifications of the proposed parent surrogate whom  
16 the public agency considers to be qualified to represent the child in the educational  
17 decision making process.

## 18 DRAFTER'S NOTE:

19 Error: Stylistic error in § 8-412(c) of the Education Article.

20 Occurred: Ch. 560, Acts of 1982.

21 8-417.

22 (a) (2) "Nonpublic general education school" means a nonpublic school  
23 approved [in] UNDER COMAR [13A.09.10.07] 13A.09.10 pursuant to § 2-206 of [the  
24 Education Article] THIS ARTICLE and operated in conjunction with residential or  
25 nonresidential child care programs licensed or approved by the Department [of  
26 Education], the Department of Health and Mental Hygiene, the Department of  
27 Human Resources, or the Department of Juvenile Services.

## 28 DRAFTER'S NOTE:

29 Error: Stylistic errors and erroneous reference in § 8-417(a)(2) of the  
30 Education Article.

31 Occurred: Ch. 541, Acts of 1999.

1 9-102.

2 In this title, "public charter school" means a public school that:

3 (11) Operates under the supervision of the public chartering authority  
4 from which its charter is granted and in accordance with its charter and, except as  
5 provided in § 9-106 of this [subtitle] TITLE, the provisions of law and regulation  
6 governing other public schools;

7 DRAFTER'S NOTE:

8 Error: Stylistic error in § 9-102(11) of the Education Article.

9 Occurred: Ch. 358, Acts of 2003. Correction by the publisher of the  
10 Annotated Code in the 2003 Supplement to the Education Article is  
11 ratified by this Act.

12 9-103.

13 (b) The secondary public chartering authority for the granting of a charter  
14 shall be the State Board acting in its appeal review capacity or as the public  
15 chartering authority for a restructured school in accordance with § 9-104(a) of this  
16 [subtitle] TITLE.

17 DRAFTER'S NOTE:

18 Error: Stylistic error in § 9-103(b) of the Education Article.

19 Occurred: Ch. 358, Acts of 2003. Correction by the publisher of the  
20 Annotated Code in the 2003 Supplement to the Education Article is  
21 ratified by this Act.

22 9-108.

23 (b) If a collective bargaining agreement under Title 6, Subtitle 4 or SUBTITLE  
24 5 of this article is already in existence in the county where a public charter school is  
25 located, the employee organization and the public charter school may mutually agree  
26 to negotiate amendments to the existing agreement to address the needs of the  
27 particular public charter school.

28 DRAFTER'S NOTE:

29 Error: Stylistic error in § 9-108(b) of the Education Article.

30 Occurred: Ch. 358, Acts of 2003.

31 18-702.

32 (a) (1) In this section the following words have the meanings indicated.

1 (2) "FAMILY PRACTICE" MEANS THE MEDICAL SPECIALTY AS DEFINED  
2 BY THE AMERICAN BOARD OF FAMILY PRACTICE.

3 [(1)] (3) "School of Medicine" means the School of Medicine of the  
4 University System of Maryland.

5 [(2)] "Family practice" means the medical specialty as defined by the  
6 American Board of Family Practice.]

7 [(3)] (4) "Service obligation" means employment in the State in the  
8 family practice of medicine in an area determined by the Secretary of Health and  
9 Mental Hygiene, in cooperation with the Medical and Chirurgical Faculty of  
10 Maryland, to have an acute need for physicians in family practice.

11 (d) (1) Following graduation from medical school, the recipient shall enter a  
12 family practice residency [program;] PROGRAM.

13 (2) Immediately following completion of the residency program, the  
14 recipient shall:

15 (I) [perform] PERFORM the service obligation; and

16 [(3)] (II) Satisfy any additional criteria the Office may establish.

17 DRAFTER'S NOTE:

18 Error: Stylistic errors in § 18-702(a) and (d) of the Education Article.

19 Occurred: Ch. 462, Acts of 1991.

20 18-1008.

21 (b) (1) Each student may borrow for at least 6 academic years.

22 (2) A loan may be made to a part-time student who:

23 (i) Carries at least one half the normal full-time academic [work  
24 load] WORKLOAD as determined by the college or vocational school; and

25 (ii) Meets any other qualifications set by the Board.

26 DRAFTER'S NOTE:

27 Error: Incorrect word usage in § 18-1008(b)(2)(i) of the Education Article.

28 Occurred: Ch. 22, Acts of 1978.

29 18-1102.

30 (c) (1) (i) Subject to subparagraph (ii) of this paragraph, the scholarship  
31 award shall be in the amount of \$3,000 for use in the next ensuing academic year.

1 (ii) A recipient's award may not exceed the cost of attendance [as  
2 defined in § 18-1302(g) of this title] AT THE INSTITUTION, INCLUDING:

3 1. THE TUITION AND FEES APPLICABLE TO THE STUDENT;  
4 AND

5 2. THE INSTITUTION'S ESTIMATE OF OTHER EXPENSES  
6 REASONABLY RELATED TO COST OF ATTENDANCE AT THAT INSTITUTION,  
7 INCLUDING, WITHOUT LIMITATION, THE COST OF ROOM AND BOARD,  
8 TRANSPORTATION, BOOKS, AND SUPPLIES.

9 (d) (2) The additional scholarship awarded under this subsection may not  
10 exceed the cost of attendance [as defined in § 18-1302(g) of this title] AT THE  
11 INSTITUTION, INCLUDING:

12 1. THE TUITION AND FEES APPLICABLE TO THE STUDENT;  
13 AND

14 2. THE INSTITUTION'S ESTIMATE OF OTHER EXPENSES  
15 REASONABLY RELATED TO COST OF ATTENDANCE AT THAT INSTITUTION,  
16 INCLUDING, WITHOUT LIMITATION, THE COST OF ROOM AND BOARD,  
17 TRANSPORTATION, BOOKS, AND SUPPLIES.

18 DRAFTER'S NOTE:

19 Error: Obsolete reference in § 18-1102(c)(1)(ii) and (d)(2) of the  
20 Education Article.

21 Occurred: As a result of Ch. 203, Acts of 2003. The language added by  
22 this Act in § 18-1102(c)(1)(ii) and (d)(2) of the Education Article  
23 incorporates language of former § 18-1302(g) of the Education Article.

24 Subtitle 19. [Maryland Prepaid College Trust] COLLEGE SAVINGS PLANS OF  
25 MARYLAND.

26 18-1901.

27 (a) In this subtitle the following words have the meanings indicated.

28 (B) "ACCOUNT HOLDER" MEANS AN INDIVIDUAL WHO:

29 (1) MAKES OR UNDERTAKES THE OBLIGATION TO MAKE ADVANCE  
30 PAYMENTS OF QUALIFIED HIGHER EDUCATION EXPENSES AS PROVIDED UNDER A  
31 PREPAID CONTRACT; AND

32 (2) EXCEPT AS PROVIDED IN § 18-1909(B) OF THIS SUBTITLE, IS A  
33 RESIDENT OF MARYLAND OR OF THE DISTRICT OF COLUMBIA AT THE TIME THAT THE  
34 ACCOUNT HOLDER ENTERS INTO A PREPAID CONTRACT.

35 [(b)] (C) "Board" means the College Savings Plans of Maryland Board.

1 [(c)] (D) "Current prepaid contract obligations" means the scheduled  
2 payments due for the next fiscal year under existing prepaid contracts.

3 [(d)] (E) "Eligible institution of higher education" means an institution of  
4 higher education that:

5 (1) Offers an associate, bachelor, or graduate degree program; and

6 (2) Is eligible to participate in federal financial aid programs.

7 [(e)] (F) "Prepaid contract" means a contract between the Board and an  
8 account holder under the provisions of this subtitle for the advance payment of  
9 qualified higher education expenses by the account holder for a qualified beneficiary  
10 to attend an eligible institution of higher education, if the qualified beneficiary is  
11 admitted to the institution.

12 [(f)] (G) "Market value of program assets" means the amount of cash and cash  
13 equivalents held by the Trust plus the fair market value of other assets of the Trust.

14 [(g)] (H) "Plan" means the Maryland College Investment Plan established  
15 under Subtitle 19A of this title.

16 [(h)] (I) "Program" means the College Savings Plans of Maryland.

17 [(i)] "Account holder" means an individual who:

18 (1) Makes or undertakes the obligation to make advance payments of  
19 qualified higher education expenses as provided under a prepaid contract; and

20 (2) Except as provided in § 18-1909(b) of this subtitle, is a resident of  
21 Maryland or of the District of Columbia at the time that the account holder enters  
22 into a prepaid contract.]

23 [(j)] "Qualified beneficiary" means an individual who:

24 (1) Is eligible to apply advance payments of qualified higher education  
25 expenses to undergraduate or graduate qualified higher education expenses at an  
26 eligible institution of higher education under the provisions of this subtitle; and

27 (2) Except as provided in § 18-1909(b) of this subtitle, is a resident of the  
28 State or of the District of Columbia at the time that the account holder enters into a  
29 prepaid contract.

30 [(k)] "Qualified higher education expenses" has the meaning stated in § 529(e)  
31 of the Internal Revenue Code.

32 [(l)] "Qualified state tuition program" has the meaning stated in § 529 of the  
33 Internal Revenue Code.

34 [(m)] "Trust" means the Maryland Prepaid College Trust established under this  
35 subtitle.

1 (n) (1) "Tuition" means the actual tuition and mandatory fees assessed to all  
2 students by an eligible institution of higher education as a condition of enrollment at  
3 the institution.

4 (2) "Tuition" does not include any fee that is assessed by the institution  
5 for a particular course taken, year of enrollment, academic status, course of study,  
6 residency status, or any other distinguishing factor used by the institution to  
7 determine a specific fee.

8 DRAFTER'S NOTE:

9 Error: Misnomer in the subtitle name of Subtitle 19 of the Education  
10 Article; stylistic error in § 18-1901 of the Education Article.

11 Occurred: Chs. 381 and 382, Acts of 2003.

12 **Article - Election Law**

13 2-102.

14 (b) In exercising its authority under this article and in order to ensure  
15 compliance with this article and with any requirements of federal law, the State  
16 Board shall:

17 (12) serve as the official designated office in accordance with the  
18 [Uniform] UNIFORMED AND Overseas Citizens Absentee Voting Act for providing  
19 information regarding voter registration and absentee ballot procedures for absent  
20 uniformed services voters and overseas voters with respect to elections for federal  
21 office.

22 DRAFTER'S NOTE:

23 Error: Misnomer in § 2-102(b)(12) of the Election Law Article.

24 Occurred: Ch. 379, Acts of 2003.

25 10-310.

26 (a) For each individual who seeks to vote, an election judge, in accordance  
27 with instructions provided by the local board, shall:

28 (3) [establishing] ESTABLISH the identity of the voter by requesting the  
29 voter to state the month and day of the voter's birth and comparing the response to  
30 the information listed in the precinct register;

31 (4) [verifying] VERIFY the address of the voter's residence;

32 (5) if any changes to the voting authority card are indicated by a voter,  
33 [making] MAKE the appropriate changes in information on the card or other  
34 appropriate form; and

1           (6)     [having] HAVE the voter sign the voting authority card and either  
2 [issuing] ISSUE the voter a ballot or [sending] SEND the voter to a machine to vote.

3     (c)     (7)     Except as provided in [paragraphs] PARAGRAPH (3) or (4) of this  
4 subsection, a person over the age of 10 years may not accompany a voter into a voting  
5 booth.

6 DRAFTER'S NOTE:

7     Error: Grammatical errors in § 10-310(a)(3) through (6) and (c)(7) of the  
8 Election Law Article.

9     Occurred: Errors in § 10-310(a)(3) through (6), as a result of Ch. 379,  
10 Acts of 2003; error in § 10-310(c)(7), Ch. 291, Acts of 2002.

11 13-311.

12     Before a campaign finance entity files a final campaign finance report, the  
13 entity shall pay all outstanding obligations and dispose of all of its remaining assets  
14 in accordance with [§ 13-246] § 13-247 of this title.

15 DRAFTER'S NOTE:

16     Error: Erroneous cross-reference in § 13-311 of the Election Law Article.

17     Occurred: Ch. 291, Acts of 2002.

18

#### **Article - Environment**

19 7-201.

20     (x)     (7)     A person who owns real property is not considered an owner or  
21 operator of a vehicle or site containing a hazardous substance under [subparagraph]  
22 PARAGRAPH (1)(i) of this subsection solely by reason of contamination from a  
23 contiguous or otherwise similarly situated real property if:

24                   (i)     The person does not own the contiguous or otherwise similarly  
25 situated real property;

26                   (ii)    The person's real property is or may be contaminated by a  
27 release or threatened release of a hazardous substance from the contiguous to or  
28 otherwise similarly situated real property; and

29                   (iii)   The person meets the requirements of Section 107(q) of the  
30 federal act and any regulations adopted by the Department implementing or  
31 interpreting the requirements of that section.

32 DRAFTER'S NOTE:

33     Error: Incorrect cross-reference in § 7-201(x)(7) of the Environment  
34 Article

1 Occurred: Ch. 466, Acts of 2003.

2 7-406.

3 (f) (2) At least 90 days prior to the issuance of a certificate, the Board shall  
4 seek the comments of:

5 (i) Each landowner of record whose property is within [1000] 1,000  
6 feet of the proposed site; and

7 (ii) Residents who live within 1 mile of the proposed site.

8 DRAFTER'S NOTE:

9 Error: Stylistic error in § 7-406(f)(2)(i) of the Environment Article.

10 Occurred: Ch. 528, Acts of 1980.

11 15-501.

12 (d) "Committee" means THE Land Reclamation Committee.

13 DRAFTER'S NOTE:

14 Error: Omitted word in § 15-501(d) of the Environment Article.

15 Occurred: Ch. 4, § 1, Acts of the First Special Session of 1980.

16

#### **Article - Family Law**

17 2-402.

18 (c) The Social Security numbers of the parties:

19 [(i)] (1) shall be included in the electronic file for the marriage license  
20 application; and

21 [(ii)] (2) except as provided in § 10-617 of the State Government Article,  
22 may not be disclosed as part of the public record of the marriage license application.

23 DRAFTER'S NOTE:

24 Error: Stylistic errors in § 2-402(c) of the Family Law Article.

25 Occurred: Ch. 120, Acts of 2003. Correction by the publisher of the  
26 Annotated Code in the 2003 Supplement of the Family Law Article is  
27 ratified by this Act.

1 5-1206.

2 (a) On or before December 15, 2000, and annually thereafter until December  
3 15, 2004, the Secretary of Human Resources and the Secretary of Health and Mental  
4 Hygiene shall report to the Governor and, subject to § 2-1246 of the State  
5 Government Article, the Senate Budget and Taxation Committee, the Senate  
6 Education, Health, and Environmental Affairs Committee, the House Appropriations  
7 Committee, and the House [Environmental Matters] HEALTH AND GOVERNMENT  
8 OPERATIONS Committee, on their progress in complying with the provisions of this  
9 subtitle.

10 DRAFTER'S NOTE:

11 Error: Misnomer in § 5-1206(a) of the Family Law Article.

12 Occurred: As a result of committee name change effective as of the 2003  
13 Session of the General Assembly.

14 9-403.

15 (c) (2) The advisory council shall consist of the following members:

16 (i) 1 person from the Department of Juvenile Services, to be  
17 designated by the Secretary of [the Department of] Juvenile Services;

18 DRAFTER'S NOTE:

19 Error: Stylistic error in § 9-403(c)(2)(i) of the Family Law Article.

20 Occurred: Ch. 539, § 7, Acts of 1989.

21 10-119.3.

22 (a) (1) In this section the following words have the meanings indicated.

23 (2) "License" means any license, certificate, registration, permit, or other  
24 authorization that:

25 (i) is issued by a licensing authority;

26 (ii) is subject to suspension, revocation, forfeiture, or termination  
27 by a licensing authority; and

28 (iii) is necessary for an individual to practice or engage in a  
29 particular business, occupation, or profession.

30 [(2)] (3) (i) "Licensing authority" means a department, unit of a  
31 department, commission, board, or office of the State.

32 (ii) "Licensing authority" includes:

- 1 1. the Department of Labor, Licensing, and Regulation;
- 2 2. the Department of Health and Mental Hygiene;
- 3 3. the Department of Human Resources;
- 4 4. the Department of Transportation;
- 5 5. the Department of the Environment;
- 6 6. the Comptroller of the Treasury;
- 7 7. the Department of Agriculture;
- 8 8. the Maryland Insurance Administration;
- 9 9. the Public Service Commission;
- 10 10. the Secretary of State;
- 11 11. the State Department of Education;
- 12 12. the Department of Natural Resources;
- 13 13. the Office of the Attorney General; and
- 14 14. the clerks of the court that are authorized to issue a
- 15 license or certificate for professional services or recreational uses.

16 DRAFTER'S NOTE:

17 Error: Stylistic error in § 10-119.3(a) of the Family Law Article.

18 Occurred: Ch. 709, Acts of 1997.

19 **Article - Financial Institutions**

20 8-401.

21 (a) The Division Director may issue orders:

22 (1) To compel a savings and loan association or related entity to comply  
23 with its charter or bylaws, any applicable law, or any rule or regulation; [or]

24 DRAFTER'S NOTE:

25 Error: Extraneous conjunction in § 8-401(a)(1) of the Financial  
26 Institutions Article.

27 Occurred: Ch. 282, Acts of 1986.

1 9-329.

2 (a) In any distribution of assets on liquidation of a savings and loan  
3 association, the priority of claims is as follows:

4 (1) In a mutual association:

5 (i) General creditors and holders of savings deposit accounts;

6 (ii) Holders of savings share accounts; and

7 (iii) Contributors to the initial general reserve fund [and] before  
8 June 1, 1986 and to the expense fund under Subtitle 2 of this title; and

9 (2) In a capital stock association:

10 (i) General creditors (other than those who are capital  
11 stockholders) and holders of savings deposit accounts;

12 (ii) Holders of savings share accounts;

13 (iii) Contributors to the initial general reserve fund [and] before  
14 June 1, 1986 and to the expense fund under Subtitle 2 of this title unless the funds  
15 were provided by paid-in surplus; and

16 (iv) Capital stockholders.

17 DRAFTER'S NOTE:

18 Error: Extraneous conjunction in § 9-329(a)(1)(iii) and (2)(iii) of the  
19 Financial Institutions Article.

20 Occurred: Ch. 282, Acts of 1986.

21 11-404.

22 (c) (1) For each license for which an applicant applies, the applicant shall  
23 [submit]:

24 (i) [A] SUBMIT A separate application; and

25 (ii) Pay a separate investigation fee and license fee.

26 DRAFTER'S NOTE:

27 Error: Grammatical error in § 11-404(c)(1) of the Financial Institutions  
28 Article.

29 Occurred: Ch. 33, Acts of 1980.

1 12-418.

2 (b) A licensee shall require each authorized [delegate to] DELEGATE, within  
3 48 hours after the next regular business day after the authorized delegate receives  
4 the proceeds from a money transmission, TO remit the proceeds to the licensee or the  
5 licensee's authorized representative, or deposit the proceeds in the licensee's account  
6 with a financial institution.

7 DRAFTER'S NOTE:

8 Error: Grammatical error in § 12-418(b) of the Financial Institutions  
9 Article.

10 Occurred: Ch. 539, Acts of 2002.

11 13-701.

12 (m) (1) "Montgomery County Conference Center facilities" means the  
13 Conference Center facility located at the Montgomery County Conference Center site  
14 and used for the holding of conferences, trade shows, meetings, displays, or similar  
15 events including offices, parking lots, garages, access roads, food service facilities, and  
16 any other property, structure, furnishings, or equipment located at the Montgomery  
17 County Conference CENTER site and functionally related to the facilities.

18 (2) "Montgomery County Conference CENTER facilities" does not include  
19 the privately owned hotel that is planned to be developed adjacent to the Conference  
20 Center.

21 DRAFTER'S NOTE:

22 Error: Misnomer in § 13-701(m) of the Financial Institutions Article.

23 Occurred: Ch. 407, Acts of 1996.

24 **Article - Health - General**

25 10-620.

26 (f) "Peace officer" means a sheriff, a deputy sheriff, a State police officer, a  
27 county police officer, a municipal or other local police officer, or a Secret Service agent  
28 who is a sworn special agent of the United States Secret Service or [Treasury  
29 Department] DEPARTMENT OF HOMELAND SECURITY authorized to exercise powers  
30 delegated under 18 U.S.C. § 3056.

31 DRAFTER'S NOTE:

32 Error: Misnomer in § 10-620(f) of the Health - General Article.

33 Occurred: As a result of Pub.L. 107-296, § 1703(a), 2002 Acts, which  
34 amended 18 U.S.C. § 3056 by transferring the United States Secret Service

1 from the Treasury Department to the Department of Homeland Security.

2 13-1002.

3 (e) (3) (iii) If the Department transfers any money among the components  
4 of the Program as authorized under subparagraph (i) of this paragraph, the  
5 Department shall report the transfer to the Senate Budget and Taxation Committee,  
6 Senate Finance Committee, House Appropriations Committee, and House  
7 [Environmental Matters] HEALTH AND GOVERNMENT OPERATIONS Committee  
8 within 60 days of the transfer.

9 (g) No later than January 15 of each year, the Department shall report to the  
10 Governor and, subject to § 2-1246 of the State Government Article, the Senate Budget  
11 and Taxation Committee, Senate Finance Committee, House Appropriations  
12 Committee, and House [Environmental Matters] HEALTH AND GOVERNMENT  
13 OPERATIONS Committee:

14 (1) The amount of money that was allocated to each component of the  
15 Program during:

16 (i) The prior fiscal year that remained unspent and unobligated at  
17 the end of that year; and

18 DRAFTER'S NOTE:

19 Error: Misnomer in § 13-1002(e)(3)(iii) and in the introductory language  
20 in (g) of the Health - General Article.

21 Occurred: As a result of committee name change effective as of the 2003  
22 Session of the General Assembly.

23 13-1003.

24 (b) The purposes of the Surveillance and Evaluation Component are to:

25 (1) Collect, analyze, and monitor data relating to tobacco use and tobacco  
26 use prevention and cessation in the State;

27 (2) Measure and evaluate the results of the Program, including the  
28 results of each component of the Program;

29 (3) Conduct a Baseline Tobacco Study, as provided under subsections (c)  
30 through (e) of this section; and

31 (4) Conduct A Tobacco Study, as provided under § 13-1004 of this title.

32 DRAFTER'S NOTE:

33 Error: Omitted article in § 13-1003(b)(4) of the Health - General Article.

34 Occurred: Ch. 203, Acts of 2003. Correction by the publisher of the

1 Annotated Code in the 2003 Supplement of the Health - General Article is  
2 ratified by this Act.

3 13-1102.

4 (f) (3) (iii) If the Department transfers any money among the components  
5 of the Program as authorized under subparagraph (i) of this paragraph, the  
6 Department shall report the transfer to the Senate Budget and Taxation Committee,  
7 Senate Finance Committee, House Appropriations Committee, and House  
8 [Environmental Matters] HEALTH AND GOVERNMENT OPERATIONS Committee  
9 within 60 days after the transfer.

10 (h) No later than January 15 of each year, the Department shall report to the  
11 Governor and, subject to § 2-1246 of the State Government Article, Senate Budget  
12 and Taxation Committee, Senate Finance Committee, House Appropriations  
13 Committee, and House [Environmental Matters] HEALTH AND GOVERNMENT  
14 OPERATIONS Committee:

15 (1) The amount of money that was allocated to each component of the  
16 Program during:

17 (i) The prior fiscal year that remained unspent and unobligated at  
18 the end of that year; and

19 DRAFTER'S NOTE:

20 Error: Misnomer in § 13-1102(f)(3)(iii) and the introductory language in  
21 (h) of the Health - General Article.

22 Occurred: As a result of committee name change effective as of the 2003  
23 Session of the General Assembly.

24 15-202.

25 (c) Except as provided in subsection (d) of this section, an individual is eligible  
26 for the Program if:

27 (5) A physician certifies that the individual is:

28 (i) HIV positive; and

29 (ii) Due to this illness, [the individual is] either too ill to continue  
30 working in the individual's current position, or there is a substantial likelihood that  
31 within 3 months the individual will be unable to work;

32 DRAFTER'S NOTE:

33 Error: Extraneous language in § 15-202(c)(5)(ii) of the Health - General  
34 Article.

35 Occurred: Ch. 188, Acts of 1990.

1 18-214.

2 (i) On or before December 15 of each year, the Commission shall submit a  
3 report on its findings and recommendations to the Governor and, in accordance with  
4 § 2-1246 of the State Government Article, to the Senate Education, Health, and  
5 Environmental Affairs Committee and the House [Environmental Matters] HEALTH  
6 AND GOVERNMENT OPERATIONS Committee.

7 DRAFTER'S NOTE:

8 Error: Misnomer in § 18-214(i) of the Health - General Article.

9 Occurred: As a result of committee name change effective as of the 2003  
10 Session of the General Assembly.

11 18-1006.

12 The purpose of the Advisory Council shall be to:

13 (1) Review and recommend changes to the "Maryland Hepatitis C  
14 Prevention and Control Plan"; and

15 (2) Solicit any funds or grants from any federal, local, private, or other  
16 source to implement THE "[The] Maryland Hepatitis C Prevention and Control Plan".

17 DRAFTER'S NOTE:

18 Error: Misplaced article in § 18-1006(2) of the Health - General Article.

19 Occurred: Ch. 149, Acts of 2003. Correction by the publisher of the  
20 Annotated Code in the 2003 Supplement of the Health - General Article is  
21 ratified by this Act.

22 19-132.

23 (d) (1) "Health care provider" means:

24 (ii) A facility where health care is provided to patients or recipients,  
25 including:

26 1. A facility, as defined in § 10-101(e) of this article;

27 2. A hospital, as defined in § 19-301(g) of this article;

28 3. A related institution, as defined in § 19-301(o) of this  
29 article;

30 4. A health maintenance organization, as defined in §  
31 [19-701(f)] 19-701(G) of this article;

32 5. An outpatient clinic; and



1 Error: Misnomer in § 19-1409(b)(3) of the Health - General Article.

2 Occurred: As a result of committee name change effective as of the 2003  
3 Session of the General Assembly.

4 20-904.

5 (a) The Department, in consultation with the Maryland [Healthcare]  
6 HEALTH CARE Foundation, shall develop and implement a plan to reduce health care  
7 disparities based on gender, race, ethnicity, and poverty.

8 (c) The following entities shall assist the Department in providing staff to  
9 implement the plan:

10 (1) The Maryland [Healthcare] HEALTH CARE Foundation;

11 (2) The Morgan State University Graduate Public Health Program;

12 (3) The Johns Hopkins Bloomberg School of Public Health; and

13 (4) The Monumental City Medical Society.

14 DRAFTER'S NOTE:

15 Error: Incorrect word usage in § 20-904(a) and (c)(1) of the Health -  
16 General Article.

17 Occurred: Ch. 453, Acts of 2003.

18 21-1113.

19 (c) (2) If drugs pose an imminent threat to the public health, safety, or  
20 welfare, or if the confidentiality of prescription records [are] IS in imminent danger  
21 of being compromised, the Department may:

22 (i) Issue an impoundment order; and

23 (ii) Immediately impound drugs or prescription records without  
24 prior notice to the permit holder or authorized prescriber.

25 DRAFTER'S NOTE:

26 Error: Grammatical error in § 21-1113(c)(2) of the Health - General  
27 Article.

28 Occurred: Ch. 476, Acts of 2001.

1

**Article - Health Occupations**

2 3-5A-14.

3 (b) (1) The Charles County Commissioners shall provide that the Director of  
4 the Charles County Health Department and the Office of the Sheriff for Charles  
5 County [has] HAVE the authority to carry out the provisions of the ordinances or  
6 regulations adopted under subsection (a) of this section.

7 DRAFTER'S NOTE:

8 Error: Grammatical error in § 3-5A-14(b)(1) of the Health Occupations  
9 Article.

10 Occurred: Ch. 501, Acts of 2002.

11 4-308.

12 (c) While it is effective, a retired volunteer dentist's license or a volunteer  
13 dentist's license to practice dentistry issued under this title authorizes the licensee to  
14 practice dentistry:

15 (3) If the dentist signs a written statement agreeing to donate at least  
16 100 hours of dental services without compensation in a facility that satisfies the  
17 requirements of [subsections] SUBSECTION (d)(1) and (2) of this section;

18 DRAFTER'S NOTE:

19 Error: Stylistic error in § 4-308(c)(3) of the Health Occupations Article.

20 Occurred: Ch. 83, Acts of 2000. Correction by the publisher of the  
21 Annotated Code in the 2003 Supplement of the Health Occupations Article  
22 is ratified by this Act.

23 14-401.

24 (c) (4) (i) Except as provided in subparagraph (ii) of this paragraph, if an  
25 allegation is based on [§ 14-404(40)] § 14-404(A)(40) of this subtitle, the Board:

26 1. May determine that an agreement for corrective action is  
27 warranted; and

28 2. Shall notify the licensee of the identified deficiencies and  
29 enter into an agreement for corrective action with the licensee as provided in this  
30 paragraph.

31 (g) (1) To facilitate the investigation and prosecution of disciplinary matters  
32 and the mediation of fee disputes coming before it, the Board may:

1 (i) Contract with the Faculty, its committees, and the component  
 2 medical societies for the purchase of investigatory, mediation, and related services;  
 3 and

4 (ii) Contract with others for the purchase of investigatory,  
 5 mediation, and related services and make these services available to the Faculty, its  
 6 committees, and the component medical societies.

7 (2) Services that may be contracted for under this subsection include the  
 8 services of:

9 (i) Investigators;

10 (ii) Attorneys;

11 (iii) Accountants;

12 (iv) Expert witnesses;

13 (v) Consultants; and

14 (vi) Mediators.

15 DRAFTER'S NOTE:

16 Error: Erroneous cross-reference in § 14-401(c)(4)(i) of the Health  
 17 Occupations Article; omitted paragraph designation in § 14-401(g) of the  
 18 Health Occupations Article.

19 Occurred: Ch. 252, Acts of 2003. Correction of § 14-401(c)(4)(i) by the  
 20 publisher of the Annotated Code in the 2003 Supplement of the Health  
 21 Occupations Article is ratified by this Act.

22 14-402.

23 (e) [(i)] (1) The Board shall assess each applicant for a license to practice  
 24 medicine or for renewal of a license to practice medicine a fee of not more than \$50 to  
 25 be set after the submission of a budget for the physician rehabilitation program and  
 26 peer review activities.

27 [(ii)] (2) The fee is to be used to fund the physician rehabilitation  
 28 program and peer review activities.

29 [(iii)] (3) The Board shall set a fee under this subsection in accordance  
 30 with the budget submitted by the entity or entities with which the Board contracts.

31 DRAFTER'S NOTE:

32 Error: Stylistic error in § 14-402(e) of the Health Occupations Article.

33 Occurred: Ch. 252, Acts of 2003. Correction by the publisher of the

1 Annotated Code in the 2003 Supplement of the Health Occupations Article  
2 is ratified by this Act.

3 14-405.

4 (e) After performing any necessary hearing under this section, the hearing  
5 officer [or the subcommittee of the Board] shall refer proposed factual findings to the  
6 Board for the Board's disposition.

7 DRAFTER'S NOTE:

8 Error: Erroneous reference in § 14-405(e) of the Health Occupations  
9 Article.

10 Occurred: Ch. 252, Acts of 2003.

11 16-307.

12 (f) (2) After the grace period of 30 days:

13 (i) The expired [license:] LICENSE lapses into a nonrenewal  
14 status; and

15 DRAFTER'S NOTE:

16 Error: Incorrect punctuation in § 16-307(f)(2)(i) of the Health  
17 Occupations Article.

18 Occurred: Ch. 134, Acts of 2003. Correction by the publisher of the  
19 Annotated Code in the 2003 Supplement of the Health Occupations Article  
20 is ratified by this Act.

21 16-308.

22 (a) (2) The Board shall issue a license to an individual who is on inactive  
23 status if the individual is otherwise entitled to be licensed under this title AND  
24 submits to the Board:

25 (i) Satisfactory evidence of compliance with the continuing  
26 education requirements the Board adopts for this purpose;

27 (ii) A reinstatement fee set by the Board;

28 (iii) A licensure affidavit;

29 (iv) Federation of boards certification of good standing;

30 (v) The response to an inquiry to the national Healthcare Integrity  
31 and Protection Data Bank;

32 (vi) History of malpractice cases;

1 (vii) Proof of [out of state] OUT-OF-STATE practice preceding the  
 2 request for reinstatement that is sufficient to demonstrate current clinical  
 3 proficiency, as specified in regulations adopted by the Board; and

4 (viii) Proof of passing the Ethics-Jurisprudence Examination as  
 5 administered by the Board within the last licensing cycle preceding the individual's  
 6 reinstatement application.

7 DRAFTER'S NOTE:

8 Error: Omitted word in the lead-in language of § 16-308(a)(2) of the  
 9 Health Occupations Article; omitted hyphenation in § 16-308(a)(2)(vii) of  
 10 the Health Occupations Article.

11 Occurred: Ch. 134, Acts of 2003. Correction of the lead-in language of §  
 12 16-308(a)(2) by the publisher of the Annotated Code in the 2003  
 13 Supplement of the Health Occupations Article is ratified by this Act.

14 19-311.

15 Subject to the hearing provisions of § 19-312 of this subtitle, the Board may  
 16 deny a license to any applicant, fine a licensee, reprimand any licensee, place any  
 17 licensee on probation, or suspend or revoke a license if the applicant or licensee:

18 (18) By threats, force, or improper means, intimidates or influences, or  
 19 attempts to intimidate or influence, for the purpose of:

20 (i) Causing any person to withhold or change testimony in  
 21 hearings or proceedings before the Board or otherwise delegated to the Office of  
 22 Administrative Hearings; OR

23 DRAFTER'S NOTE:

24 Error: Omitted conjunction in § 19-311(18)(i) of the Health Occupations  
 25 Article.

26 Occurred: Ch. 554, Acts of 2000.

27 **Article - Insurance**

28 2-401.

29 (c) "Insurance fraud" means:

30 (3) any other fraudulent activity that is committed by or against a  
 31 person regulated under this article and is a violation of:

32 (iii) Title 14, Subtitle 29, § 11-810, [§ 14-1316,] or § 14-1317 of the  
 33 Commercial Law Article;

34 DRAFTER'S NOTE:

1 Error: Obsolete cross-reference in § 2-401(c)(3)(iii) of the Insurance  
2 Article.

3 Occurred: As a result of Chs. 374 and 375, Acts of 2003.

4 Subtitle 1. Insurance Producers.

5 10-101.

6 (a) In this subtitle the following words have the meanings indicated.

7 DRAFTER'S NOTE:

8 Error: Erroneous subtitle designation immediately preceding § 10-101 of  
9 the Insurance Article.

10 Occurred: As a result of Ch. 731, Acts of 2001. Correction by the  
11 publisher of the Annotated Code in the 2003 Supplement and included in  
12 the 2003 Replacement Volume of the Insurance Article is validated by this  
13 Act.

14 10-118.

15 (g) (4) If the Commissioner receives comments from an insurance producer,  
16 the Commissioner shall:

17 (i) make the comments part of the Commissioner's file on the  
18 [subject:] SUBJECT; and

19 (ii) include a copy of the comments with every copy of a report  
20 about the insurance producer that is distributed or disclosed for any reason permitted  
21 by subsection (i) of this section.

22 DRAFTER'S NOTE:

23 Error: Incorrect punctuation in § 10-118(g)(4)(i) of the Insurance Article.

24 Occurred: Ch. 35, Acts of 2003. Correction by the publisher of the  
25 Annotated Code in the 2003 Supplement and included in the 2003  
26 Replacement Volume of the Insurance Article is ratified by this Act.

27 10-120.

28 (b) (2) The Commissioner may issue a temporary license to act as an  
29 insurance producer for life insurance or health insurance to an individual who  
30 intends to engage in business as an insurance producer and to take the examination  
31 under § 10-109 of this subtitle within 90 days after the temporary [certificate of  
32 qualification] LICENSE is issued.

33 (d) An applicant for a temporary [certificate of qualification] LICENSE shall:

1 (1) file with the Commissioner an application on the form that the  
2 Commissioner provides; and

3 (2) pay to the Commissioner the applicable fee required by § 2-112 of  
4 this article.

5 DRAFTER'S NOTE:

6 Error: Obsolete language in § 10-120(b)(2) and (d) of the Insurance  
7 Article.

8 Occurred: As a result of Ch. 731, Acts of 2001.

9 10-121.

10 (f) The title insurance producer shall file the bond or letter of credit with the  
11 Commissioner:

12 (1) after the Commissioner notifies the title insurance producer of the  
13 approval of the application for a [certificate of qualification] LICENSE; and

14 DRAFTER'S NOTE:

15 Error: Obsolete language in § 10-121(f)(1) of the Insurance Article.

16 Occurred: As a result of Ch. 731, Acts of 2001.

17 10-131.

18 A person that violates § 10-103(b) or (c)[, § 10-118(b),] or § 10-130 of this  
19 subtitle is guilty of a misdemeanor and on conviction is subject to a fine not exceeding  
20 \$500 or imprisonment not exceeding 6 months or both for each violation.

21 DRAFTER'S NOTE:

22 Error: Obsolete cross-reference in § 10-131 of the Insurance Article.

23 Occurred: As a result of Ch. 35, Acts of 2003.

24 10-211.

25 (a) A [certificate of qualification] LICENSE expires at the end of every other  
26 June 30 unless it is renewed for a 2-year term as provided in this section.

27 (b) At least 1 month before a [certificate of qualification] LICENSE expires,  
28 the Commissioner shall mail to the holder of the [certificate of qualification]  
29 LICENSE, at the last known address of the holder:

30 (1) a renewal application form; and

31 (2) a notice that states:

1 (i) the date by which the Commissioner must receive the renewal  
2 application for the renewal to be issued and mailed before the [certificate of  
3 qualification] LICENSE expires; and

4 (ii) the amount of the renewal fee.

5 (c) Before a [certificate of qualification] LICENSE expires, the holder of the  
6 [certificate of qualification] LICENSE periodically may renew it for an additional  
7 2-year term, if the holder:

8 (1) otherwise is entitled to a [certificate of qualification] LICENSE;

9 (2) files with the Commissioner a renewal application on the form that  
10 the Commissioner provides;

11 (3) pays to the Commissioner the renewal fee required by § 2-112 of this  
12 article;

13 (4) is in compliance with the bond requirement of § 10-206 of this  
14 subtitle; and

15 (5) if the Commissioner determines that an examination is advisable to  
16 determine the trustworthiness or competence of a holder, passes an examination  
17 given by the Commissioner.

18 (d) An application for renewal of a [certificate of qualification] LICENSE shall  
19 be considered made in a timely manner if it is postmarked on or before June 30 of the  
20 year of renewal.

21 (e) (1) The Commissioner shall renew the [certificate of qualification]  
22 LICENSE of each holder who meets the requirements of this section.

23 (2) If the holder of a [certificate of qualification] LICENSE files an  
24 application for renewal before the [certificate of qualification] LICENSE expires, the  
25 [certificate of qualification] LICENSE shall remain in effect until:

26 (i) the Commissioner issues a renewal [certificate of qualification]  
27 LICENSE; or

28 (ii) 5 days after the Commissioner refuses to renew the [certificate  
29 of qualification] LICENSE and gives notice of the refusal to the holder.

30 DRAFTER'S NOTE:

31 Error: Obsolete language in § 10-211 of the Insurance Article.

32 Occurred: As a result of Ch. 731, Acts of 2001.

1 10-211.1.

2 (a) On or before September 30 of the renewal year, a person whose insurance  
3 adviser's [certificate of qualification] LICENSE has expired may reinstate the expired  
4 [certificate of qualification] LICENSE by:

5 (1) filing with the Commissioner the appropriate reinstatement  
6 application;

7 (2) paying to the Commissioner the applicable reinstatement fee  
8 required under subsection (b) of this section; and

9 (3) complying with the bond requirement of § 10-206 of this subtitle.

10 (b) (1) The fee for a reinstatement under this section shall be:

11 (i) the amount charged for a full renewal period for the type of  
12 [certificate of qualification] LICENSE held by the person seeking the reinstatement;  
13 and

14 (c) A person whose insurance adviser's [certificate of qualification] LICENSE  
15 has expired is prohibited from acting as an insurance adviser until the effective date  
16 of reinstatement of the [certificate of qualification] LICENSE.

17 (d) A person who does not comply with subsection (a) of this section on or  
18 before September 30 of the year of expiration shall apply for an insurance adviser's  
19 [certificate of qualification] LICENSE under § 10-205 of this subtitle and meet any  
20 other requirements specified by the Commissioner in regulation.

21 DRAFTER'S NOTE:

22 Error: Obsolete language in § 10-211.1(a), (b)(1)(i), (c), and (d) of the  
23 Insurance Article.

24 Occurred: As a result of Ch. 731, Acts of 2001.

25 10-304.

26 (b) A license issued by the Commissioner under this subtitle is identical to a  
27 [certificate of qualification] LICENSE issued under Subtitle 1 of this title.

28 DRAFTER'S NOTE:

29 Error: Obsolete language in § 10-304(b) of the Insurance Article.

30 Occurred: As a result of Ch. 731, Acts of 2001.

31 10-408.

32 (a) A [certificate of qualification] LICENSE expires at the end of every other  
33 June 30 unless it is renewed for a 2-year term as provided in this section.

1 (b) At least 1 month before a [certificate of qualification] LICENSE expires,  
2 the Commissioner shall mail to the holder of the [certificate of qualification]  
3 LICENSE, at the last known address of the holder:

4 (1) a renewal application form; and

5 (2) a notice that states:

6 (i) the date by which the Commissioner must receive the renewal  
7 application for the renewal to be issued and mailed before the [certificate of  
8 qualification] LICENSE expires; and

9 (ii) the amount of the renewal fee.

10 (c) Before a [certificate of qualification] LICENSE expires, the holder of the  
11 [certificate of qualification] LICENSE may renew it for an additional 2-year term, if  
12 the holder:

13 (1) otherwise is entitled to a [certificate of qualification] LICENSE;

14 (2) files with the Commissioner a renewal application on the form that  
15 the Commissioner provides; and

16 (3) pays to the Commissioner the renewal fee required by § 2-112 of this  
17 article.

18 (d) An application for renewal of a [certificate of qualification] LICENSE shall  
19 be considered made in a timely manner if it is postmarked on or before June 30 of the  
20 year of renewal.

21 (e) (1) The Commissioner shall renew the [certificate of qualification]  
22 LICENSE of each holder who meets the requirements of this section.

23 (2) If the holder of a [certificate of qualification] LICENSE files an  
24 application for renewal before the [certificate of qualification] LICENSE expires, the  
25 [certificate of qualification] LICENSE shall remain in effect until:

26 (i) the Commissioner issues a renewal [certificate of qualification]  
27 LICENSE; or

28 (ii) 5 days after the Commissioner refuses in writing to renew the  
29 [certificate of qualification] LICENSE and serves notice of the refusal on the holder.

30 DRAFTER'S NOTE:

31 Error: Obsolete language in § 10-408 of the Insurance Article.

32 Occurred: As a result of Ch. 731, Acts of 2001.

1 10-408.1.

2 (a) On or before September 30 of the renewal year, a person whose public  
3 adjuster's [certificate of qualification] LICENSE has expired may reinstate the  
4 expired [certificate of qualification] LICENSE by:

5 (1) filing with the Commissioner the appropriate reinstatement  
6 application; and

7 (2) paying to the Commissioner the applicable reinstatement fee  
8 required under subsection (b) of this section.

9 (b) (1) The fee for a reinstatement under this section shall be:

10 (i) the amount charged for a full renewal period for the type of  
11 [certificate of qualification] LICENSE held by the person seeking the reinstatement;  
12 and

13 (c) A person whose public adjuster's [certificate of qualification] LICENSE has  
14 expired is prohibited from acting as a public adjuster until the effective date of  
15 reinstatement of the [certificate of qualification] LICENSE.

16 (d) A person who does not comply with subsection (a) of this section on or  
17 before September 30 of the year of expiration shall apply for a public adjuster's  
18 [certificate of qualification] LICENSE under § 10-405 of this subtitle and meet any  
19 other requirements specified by the Commissioner in regulation.

20 DRAFTER'S NOTE:

21 Error: Obsolete language in § 10-408.1(a), (b)(1)(i), (c), and (d) of the  
22 Insurance Article.

23 Occurred: As a result of Ch. 731, Acts of 2001.

24 10-604.

25 (a) A limited lines license to sell insurance in connection with, and incidental  
26 to, the rental of a motor vehicle issued under this subtitle authorizes the motor  
27 vehicle rental company to offer or sell, in connection with, and incidental to, a motor  
28 vehicle rental agreement in which the rental period does not exceed 30 days, the  
29 insurance products specified in paragraph (b) of this section if:

30 (2) the motor vehicle rental company holds an appointment with each  
31 authorized insurer, under [§ 10-118(a)] § 10-118 of this title, that the motor vehicle  
32 rental company intends to represent;

33 DRAFTER'S NOTE:

34 Error: Erroneous cross-reference in § 10-604(a)(2) of the Insurance  
35 Article.

1 Occurred: As a result of Ch. 35, Acts of 2003. Correction by the publisher  
2 of the Annotated Code in the 2003 Supplement and included in the 2003  
3 Replacement Volume of the Insurance Article is ratified by this Act.

4 14-110.

5 (b) If the Commissioner determines that a nonprofit health [services]  
6 SERVICE plan does not continue to satisfy the requirements of this subtitle, the  
7 Commissioner may disapprove the renewal of the certificate of authority of the  
8 nonprofit health service plan.

9 DRAFTER'S NOTE:

10 Error: Incorrect word usage in § 14-110(b) of the Insurance Article.

11 Occurred: Chs. 356 and 357, Acts of 2003.

12 14-115.

13 (d) (6) The board shall have the following standing committees whose duties  
14 shall include:

15 (iv) a nominating committee responsible for identifying, evaluating,  
16 and recommending to the board individuals qualified to become board [member]  
17 MEMBERS, including individuals who represent a corporation for which the nonprofit  
18 health service plan is the sole member;

19 DRAFTER'S NOTE:

20 Error: Incorrect word usage in § 14-115(d)(6)(iv) of the Insurance Article.

21 Occurred: Chs. 356 and 357, Acts of 2003. Correction by the publisher of  
22 the Annotated Code in the 2003 Supplement of the Insurance Article is  
23 ratified by this Act.

24 15-1308.

25 (e) A carrier that denies individual health insurance coverage under  
26 subsection (d) of this section may not offer coverage in the individual market until the  
27 later of:

28 (1) [a period of] 180 days after the date the coverage is denied; or

29 (2) [until] THE DATE the carrier has [demonstrated,] DEMONSTRATED  
30 to the Commissioner's satisfaction that the carrier has sufficient policyholder surplus  
31 to underwrite additional coverage.

32 DRAFTER'S NOTE:

33 Error: Extraneous and omitted language and extraneous comma in §  
34 15-1308(e) of the Insurance Article.

1 Occurred: Ch. 294, Acts of 1997.

2 15-1601.

3 (e) A pilot program created under this section:

4 (1) is not providing insurance as defined in § 1-101 of [the Insurance  
5 Article of the Annotated Code of Maryland] THIS ARTICLE;

6 (2) is not subject to regulation by the Maryland Insurance  
7 Commissioner; and

8 (3) [shall] MAY not be considered an unauthorized insurer as defined in  
9 § 1-101 of [the Insurance Article of the Annotated Code of Maryland] THIS ARTICLE.

10 DRAFTER'S NOTE:

11 Error: Stylistic errors in § 15-1601(e)(1) and (3) of the Insurance Article.

12 Occurred: Ch. 289, Acts of 2003. Partial correction by the publisher of the  
13 Annotated Code in the 2003 Supplement of the Insurance Article is ratified  
14 by this Act.

15 20-516.

16 (a) Subject to § 20-517 of this subtitle, the Fund:

17 (3) may reject an application of insurance or at any time may cancel a  
18 policy if it is found that the driver's license of the applicant or policyholder is:

19 (i) suspended, unless the suspension is for a first offense under §  
20 16-205.1 of the Transportation Article for driving with an alcohol concentration of  
21 [0.10] 0.08 or more; or

22 (ii) revoked.

23 DRAFTER'S NOTE:

24 Error: Incorrect reference in § 20-516(a)(3)(i) of the Insurance Article.

25 Occurred: As a result of Chs. 4 and 5, Acts of 2001.

26 23-304.

27 The finance charge shall be computed:

28 (1) on the amount of the entire premium loan advanced, including any  
29 taxes or fees that are financed under § 23-301.1 of this [title] SUBTITLE, after  
30 subtracting any down payment on the premium loan made by the insured;

31 DRAFTER'S NOTE:

1 Error: Stylistic error in § 23-304(1) of the Insurance Article.

2 Occurred: Ch. 69, Acts of 2003.

3 25-405.

4 (f) The program of operation shall establish:

5 (1) a maximum limit of liability of \$1,500,000 on real or personal  
6 property [comprised] COMPOSED of or contained in a single building; and

7 (2) appropriate sublimits of liability based on construction, protection,  
8 and class of occupancy.

9 DRAFTER'S NOTE:

10 Error: Grammatical error in § 25-405(f)(1) of the Insurance Article.

11 Occurred: Ch. 11, Acts of 1996.

12 27-801.

13 (c) "Insurance fraud" means:

14 (3) any other fraudulent activity that is committed by or against a  
15 person regulated under this article and is a violation of:

16 (iii) Title 14, Subtitle 29, § 11-810[, § 14-1316,] or § 14-1317 of the  
17 Commercial Law Article;

18 DRAFTER'S NOTE:

19 Error: Obsolete cross-reference in § 27-801(c)(3)(iii) of the Insurance  
20 Article.

21 Occurred: As a result of Chs. 374 and 375, Acts of 2003.

22

### **Article - Labor and Employment**

23 5-308.1.

24 (b) The Commissioner shall submit notice regarding any modifications made  
25 to, or directives issued interpreting, the federal Bloodborne Pathogen Standard after  
26 November 5, 1999 and, subject to § 2-1246 of the State Government Article, make  
27 recommendations for any legislative changes to the House [Environmental Matters]  
28 HEALTH AND GOVERNMENT OPERATIONS Committee, the Senate Education, Health,  
29 and Environmental Affairs Committee, and the General Assembly within 30 days of  
30 the issuance of modifications to the Bloodborne Pathogen Standard.

31 DRAFTER'S NOTE:

1 Error: Misnomer in § 5-308.1(b) of the Labor and Employment Article.

2 Occurred: As a result of committee name change effective as of the 2003  
3 Session of the General Assembly.

4 8-303.

5 (d) (1) The head of the Office of Employment Services is the Director who  
6 shall be appointed by the Secretary in accordance with:

7 (i) the provisions of the State Personnel and Pensions Article; and

8 (ii) regulations adopted by the [Director of the United States  
9 Employment Service] UNITED STATES SECRETARY OF LABOR.

10 (e) The Secretary shall employ a staff for the Office of Employment Services in  
11 accordance with § 8-304 of this subtitle and regulations adopted by the [Director of  
12 the United States Employment Services] UNITED STATES SECRETARY OF LABOR.

13 DRAFTER'S NOTE:

14 Error: Obsolete references in § 8-303(d)(1)(ii) and (e) of the Labor and  
15 Employment Article.

16 Occurred: As a result of a federal change of authority to promulgate  
17 regulations concerning the Office of Employment Services from the  
18 Director of the United States Employment Service to the United States  
19 Secretary of Labor.

20 8-1604.

21 (c) A self-employment assistance allowance is payable on the same terms and  
22 subject to the same conditions as regular unemployment insurance benefits except  
23 that:

24 (3) the provisions of § 8-803(d) of this title concerning subtracting any  
25 wages in excess of [\$70] \$90 will not apply to the individual;

26 DRAFTER'S NOTE:

27 Error: Incorrect dollar amount referenced in § 8-1604(c)(3) of the Labor  
28 and Employment Article.

29 Occurred: As a result of Ch. 239, Acts of 2002.

30 9-602.

31 (a) (1) Except as otherwise provided in this section, the average weekly  
32 wage of a covered employee shall be computed by determining the average of the  
33 weekly wages of the covered employee:

1 (i) when the covered employee is working [on] full time; and

2 DRAFTER'S NOTE:

3 Error: Extraneous language in § 9-602(a)(1)(i) of the Labor and  
4 Employment Article.

5 Occurred: Ch. 8, Acts of 1991.

6 9-681.

7 (i) (2) The employer or its insurer shall continue to make payments to, or  
8 for the benefit of, a child who is 18 years old or older for the period of dependency if  
9 THE CHILD IS:

10 (i) [the child is] wholly dependent on the deceased covered  
11 employee; and

12 (ii) incapable of self-support because of mental or physical  
13 disability or other sufficient reason as determined by the Commission.

14 DRAFTER'S NOTE:

15 Error: Misplaced language in § 9-681(i)(2) of the Labor and Employment  
16 Article.

17 Occurred: Ch. 8, Acts of 1991.

18

#### **Article - Natural Resources**

19 5-207.

20 (b) The Department may accept gifts, donations, or contributions of land from  
21 the federal government or any of its agencies, enter into agreements with the federal  
22 government or any of its agencies, and acquire by lease, purchase, or otherwise, lands  
23 the Department deems suitable for State forests or parks. The Department may make  
24 expenditures from any funds not otherwise obligated for the management,  
25 development, and utilization of the lands. It may sell or dispose of products from the  
26 lands, and make rules and regulations necessary to carry out the provisions of this  
27 subsection. Any revenue received from the lands shall be paid into the State Treasury  
28 to the credit of the Forest or Park Reserve Fund in accordance with the provisions of  
29 § 5-212 OF THIS SUBTITLE. However, at least 50 percent of the gross revenues derived  
30 from the lands may be devoted to the payment of any obligations for the purchase  
31 incurred under the provisions of this subsection, until the obligations are fully paid.

32 DRAFTER'S NOTE:

33 Error: Stylistic error in § 5-207(b) of the Natural Resources Article.

34 Occurred: Ch. 4, Acts of the First Special Session of 1973.

1 8-716.1.

2 (g) If a person or entity liable for the excise tax and for the interest and  
 3 penalties of the tax under this subtitle is a corporation or limited liability company or  
 4 limited liability partnership, including a limited partnership registered as a limited  
 5 liability limited partnership, personal liability for the excise tax and for the interest  
 6 and penalties of the tax extends to:

7 (1) In the case of a corporation:

8 (i) The president, vice president, or treasurer of the corporation;  
 9 and

10 (ii) Any officer of the corporation who directly or indirectly owns  
 11 more than 20% of the stock of the corporation; [and]

12 DRAFTER'S NOTE:

13 Error: Extraneous conjunction in § 8-716.1(g)(1)(ii) of the Natural  
 14 Resources Article.

15 Occurred: Ch. 298, Acts of 2003.

16 8-743.

17 (a) (4) (I) "Vessel" means:

18 [(i)] 1. A vessel used for recreational purposes; or

19 [(ii)] 2. A vessel leased, rented, or chartered for noncommercial  
 20 use.

21 [(5)] (II) "Vessel" does not include a vessel carrying passengers for hire  
 22 under the command of an individual licensed by the U.S. Coast Guard to carry  
 23 passengers for hire, or a vessel displaying a valid seafood harvester's license number  
 24 while engaged in the harvesting of seafood for sale.

25 DRAFTER'S NOTE:

26 Error: Stylistic errors in § 8-743(a)(4) and (5) of the Natural Resources  
 27 Article.

28 Occurred: Ch. 429, Acts of 2001.

29 Subtitle 18. Chesapeake [Bay] AND ATLANTIC COASTAL BAYS Critical Area  
 30 Protection Program.

31 8-1801.

32 (a) The General Assembly finds and declares that:

## 1 DRAFTER'S NOTE:

2 Error: Erroneous subtitle designation immediately preceding § 8-1801 of  
3 the Natural Resources Article.

4 Occurred: As a result of Ch. 433, Acts of 2002.

5 10-410.

6 (a) (4) The Sunday deer hunting provisions under paragraph (3) of this  
7 subsection do not apply:

8 (i) In Anne Arundel, Baltimore, Carroll, Frederick, Harford,  
9 Howard, Montgomery, Prince George's, Somerset, Wicomico, and Worcester counties;  
10 AND

11 (ii) In Baltimore City [and the City of Frederick; and

12 (iii) In that portion of Frederick County that is located south of  
13 Interstate 70 and east of U.S. Route 15].

## 14 DRAFTER'S NOTE:

15 Error: Extraneous language in § 10-410(a)(4) of the Natural Resources  
16 Article.

17 Occurred: As a result of Ch. 170, Acts of 2003. Correction by the  
18 publisher of the Annotated Code in the 2003 Supplement of the Natural  
19 Resources Article is ratified by this Act.

20 **Article - Real Property**

21 8-312.

22 (a) Levy on goods under distress does not affect or disturb the title to the  
23 goods. The claim or lien of the landlord under this subtitle on the goods continues  
24 until the goods are sold as provided in this [section] SUBTITLE.

## 25 DRAFTER'S NOTE:

26 Error: Incorrect cross-reference in § 8-312(a) of the Real Property  
27 Article.

28 Occurred: Ch. 12, Acts of 1974.

29 11A-110.

30 (e) (4) An action may not be brought to foreclose a lien except after 10-days'  
31 written notice to the time-share owner given by registered mail, return receipt  
32 requested, to the last known address of the owner. Notice shall be deemed given even

1 if delivery of the letter is refused by the addressee or any [coowner] CO-OWNER of  
2 the time-share.

3 DRAFTER'S NOTE:

4 Error: Misspelled word in § 11A-110(e)(4) of the Real Property Article.

5 Occurred: Ch. 579, Acts of 1984.

6 13-101.

7 (a) In this title the following words have the meanings indicated unless  
8 otherwise apparent from context.

9 (b) "ABANDONED LAND" MEANS VACANT LAND THAT HAS BOUNDARIES THAT  
10 ARE LOCATED WITHIN OR CONTIGUOUS TO GREEN RIDGE STATE FOREST:

11 (1) FOR WHICH NO PROPERTY TAX PAYMENT HAS BEEN MADE WITHIN 20  
12 YEARS IMMEDIATELY PRECEDING THE DATE OF AN APPLICATION FOR A  
13 CERTIFICATE OF RESERVATION FOR PUBLIC USE BY A UNIT OF STATE GOVERNMENT;  
14 AND

15 (2) WHICH HAS NOT BEEN ACTUALLY POSSESSED BY A PERSON, UNDER  
16 CLAIM OF TITLE OR OTHERWISE, FOR A CONTINUOUS PERIOD OF 20 YEARS  
17 IMMEDIATELY PRECEDING THE DATE OF AN APPLICATION FOR A CERTIFICATE OF  
18 RESERVATION FOR PUBLIC USE BY A UNIT OF STATE GOVERNMENT.

19 (C) "Certificate of reservation" means a certificate issued by the Commissioner  
20 at the request of a governmental body upon a determination that vacant land or  
21 abandoned land exists and the governmental body wishes to reserve the land for  
22 public use.

23 [(c)] (D) "Commission" means the Hall of Records Commission.

24 [(d)] (E) "Commissioner" means the State Archivist who, while performing the  
25 duties and exercising the powers provided in this title, is known as the  
26 "Commissioner of Land Patents".

27 [(e)] (F) "Expense" includes any charge, cost, deposit, fee, or tax incurred in  
28 connection with a land patent proceeding.

29 [(f)] (G) "Governmental body" includes any unit of State government, any  
30 county or municipal corporation, or any agency or instrumentality of any county or  
31 municipal corporation.

32 [(g)] (H) (1) "Land" means any area of land in the State, including any two  
33 or more areas of land with a common boundary for at least part of their perimeters.

34 (2) "Land" includes vacant land and abandoned land.

1 (3) "Land" does not include any area covered by navigable water unless  
2 it was included in a patent issued before March 3, 1862.

3 [(h)] (I) "Mail" means to deposit in the United States mails, postage prepaid,  
4 endorsed "Restricted Delivery -- Return Receipt Requested".

5 [(i)] (J) "Patent" means:

6 (1) Any grant confirmed by Article 5 of the Declaration of Rights of the  
7 State Constitution;

8 (2) Any valid grant made under prior law by the State of its interests in  
9 any vacant, resurveyed, escheat, or confiscated land; or

10 (3) Any grant made under this title by the State of its interest in any  
11 land.

12 [(j)] (K) "Public use" means use by or for the benefit of the public.

13 [(k)] (L) "Survey", whether used as a noun or as a verb in any form or tense,  
14 means:

15 (1) The act of surveying any vacant land in order to obtain a patent for  
16 the land; or

17 (2) The act of resurveying any land for which a patent previously was  
18 issued in order to obtain a new patent for the land.

19 [(l)] (M) "Surveyor" means any professional land surveyor or property line  
20 surveyor licensed under the Maryland Professional Land Surveyors Act.

21 [(m)] "Abandoned land" means vacant land that has boundaries that are located  
22 within or contiguous to Green Ridge State Forest:

23 (1) For which no property tax payment has been made within 20 years  
24 immediately preceding the date of an application for a certificate of reservation for  
25 public use by a unit of State government; and

26 (2) Which has not been actually possessed by a person, under claim of  
27 title or otherwise, for a continuous period of 20 years immediately preceding the date  
28 of an application for a certificate of reservation for public use by a unit of State  
29 government.]

30 (n) "Vacant land" means land for which a patent never has been issued or for  
31 which the applicant believes that a patent never has been issued.

32 (o) "Verify" means to state in writing, under penalties of perjury, that the  
33 matters and facts set forth in the document to which the statement relates are true  
34 and complete to the best of the knowledge, information, and belief of the person  
35 making the statement.

1 DRAFTER'S NOTE:

2 Error: Stylistic error in § 13-101 of the Real Property Article.

3 Occurred: Ch. 334, Acts of 2003.

4 **Article - State Finance and Procurement**

5 3-901.

6 (f) "Qualified entity" means a nonprofit organization [which] THAT:

7 [(i)] (1) produces audio editions of daily newspapers, available for  
8 interstate distribution using high-speed computer and telecommunications  
9 technology; and

10 [(ii)] (2) provides a means of program administration and reader  
11 registration on the Internet.

12 DRAFTER'S NOTE:

13 Error: Grammatical and stylistic errors in § 3-901(f) of the State Finance  
14 and Procurement Article.

15 Occurred: Ch. 161, Acts of 2003. Correction of the stylistic errors by the  
16 publisher of the Annotated Code in the 2003 Supplement of the State  
17 Finance and Procurement Article is ratified by this Act.

18 7-311.

19 (e) Except as provided in subsection (f) of this section, for each fiscal year:

20 (1) if the Account balance is below 3% of the estimated General Fund  
21 revenues for that fiscal year, the Governor shall include in the budget bill an  
22 appropriation to the Account equal to at least \$100,000,000; and

23 (2) if the Account balance is at least 3% but less than 5% of the estimated  
24 General Fund revenues for that fiscal year, the Governor shall include in the budget  
25 bill an appropriation to the [Fund] ACCOUNT equal to at least the lesser of  
26 \$50,000,000 or whatever amount is required for the Account balance to exceed 5% of  
27 the estimated General Fund revenues for that fiscal year.

28 DRAFTER'S NOTE:

29 Error: Misnomer in § 7-311(e)(2) of the State Finance and Procurement  
30 Article.

31 Occurred: Ch. 203, Acts of 2003. Correction by the publisher of the  
32 Annotated Code in the 2003 Supplement of the State Finance and  
33 Procurement Article is ratified by this Act.

1 11-203.

2 (b) (1) [(i)] The following provisions of this Division II apply to each  
3 procurement enumerated in subsection (a) of this section:

4 [1.] (I) § 11-205 of this subtitle ("Fraud in procurement");

5 [2.] (II) § 12-204 of this article ("Board approval for  
6 designated contracts");

7 [3.] (III) Title 12, Subtitle 2 of this article ("Supervision of  
8 Capital Expenditures and Real Property Leases");

9 [4.] (IV) § 13-219 of this article ("Required clauses -  
10 Nondiscrimination clause");

11 [5.] (V) § 13-221 of this article ("Disclosures to Secretary of  
12 State");

13 [6.] (VI) Title 16 of this article ("Debarment of Contractors");  
14 and

15 [7.] (VII) Title 17 of this article ("Special Provisions - State  
16 and Local Subdivisions").

17 [(ii)] Title 14, Subtitle 3 of this article applies to a procurement by  
18 the Maryland Developmental Disabilities Administration of the Department of  
19 Health and Mental Hygiene exempt under subsection (a)(1)(xix) of this section.]

20 (3) A procurement by an entity listed in subsection (a)(1)(i) through (XV) AND  
21 (xix) of this section shall be made under procedures that promote the purposes stated  
22 in § 11-201(a) of this subtitle.

23 DRAFTER'S NOTE:

24 Error: Redundant language in § 11-203(b)(1)(ii) of the State Finance and  
25 Procurement Article in light of § 11-203(b)(2) of the State Finance and  
26 Procurement Article, as enacted by Ch. 402 of the Acts of the General  
27 Assembly of 2003.

28 Occurred: As a result of Chs. 402 and 471, Acts of 2003. Correction  
29 suggested in bill review letter by Assistant Attorney General Kathryn M.  
30 Rowe, Office of Counsel to the General Assembly.

31 DRAFTER'S NOTE:

32 Error: Incorrect cross-reference in § 11-203(b)(3) of the State Finance  
33 and Procurement Article.

34 Occurred: Ch. 471, Acts of 2003. Correction suggested in bill review letter  
35 by Assistant Attorney General Kathryn M. Rowe, Office of Counsel to the

1 General Assembly.

2 **Article - State Government**

3 9-915.

4 (a) In this section, "veterans' memorials and monuments" means:

5 (3) the Maryland World War II Memorial and Associated Land [as  
6 established pursuant to Article 41, § 18-303 of the Code].

7 DRAFTER'S NOTE:

8 Error: Obsolete cross-reference in § 9-915(a)(3) of the State Government  
9 Article.

10 Occurred: As a result of Ch. 21, Acts of 2003.

11 9-1406.

12 (c) The Executive Director of the National Center for Smart [Growth,]  
13 GROWTH Education and Research at the University of Maryland, College Park shall  
14 serve as an ex officio member of the Subcabinet.

15 DRAFTER'S NOTE:

16 Error: Extraneous comma in § 9-1406(c) of the State Government  
17 Article.

18 Occurred: Ch. 556, Acts of 2001.

19 10-618.

20 (j) (3) (i) Subject to subparagraph (ii) of this paragraph, a custodian may  
21 not deny inspection of a public record under paragraph (1) or (2) of this subsection  
22 that relates to a building, structure, or facility that has been subjected to a  
23 catastrophic event, including [to] a fire, explosion, or natural disaster.

24 DRAFTER'S NOTE:

25 Error: Extraneous word in § 10-618(j)(3)(i) of the State Government  
26 Article.

27 Occurred: Ch. 110, Acts of 2003. Correction by the publisher of the  
28 Annotated Code in the 2003 Supplement of the State Government Article  
29 is ratified by this Act.

1

**Article - State Personnel and Pensions**

2 21-304.

3 (e) (1) When the funding ratio for the employees' systems is between 90%  
4 and 110%, inclusive, the employees' system contribution rate is the rate [certified by  
5 the Board of Trustees] for the previous fiscal year, adjusted to reflect legislative  
6 changes that result in changes in normal cost and to amortize over 25 years any  
7 actuarial liabilities of the employees' systems.

8 DRAFTER'S NOTE:

9 Error: Erroneous language in § 21-304(e)(1) of the State Personnel and  
10 Pensions Article.

11 Occurred: Chapter 440, Acts of 2002.

12 30-210.

13 (b) (2) If an employing institution authorizes its employees or the employees  
14 of an institution over which it has administrative authority to participate in a  
15 supplemental retirement [account] PLAN, the employing institution shall designate  
16 the companies that may offer supplemental retirement accounts to those employees  
17 and shall administer the participation of those employees in the supplemental  
18 retirement plan.

19 DRAFTER'S NOTE:

20 Error: Erroneous reference in § 30-210(b)(2) of the State Personnel and  
21 Pensions Article.

22 Occurred: Ch. 619, Acts of 1996.

23

**Article - Tax - General**

24 2-1102.

25 After making the distributions required under § 2-1101 of this subtitle, from the  
26 remaining motor fuel tax revenue, the Comptroller shall distribute the amount  
27 necessary to administer the Motor Fuel Tax [Unit] DIVISION of the Comptroller's  
28 Office to an administrative cost account.

29 DRAFTER'S NOTE:

30 Error: Misnomer in § 2-1102 of the Tax - General Article.

31 Occurred: Ch. 3, Acts of 1995.

1 8-410.

2 A public service company may claim a credit against the public service company  
3 franchise tax for wages paid to qualified employment opportunity employees and for  
4 child care provided or paid FOR by a business entity for the children of a qualified  
5 employment opportunity employee or transportation expenses as provided under  
6 Article 88A, § 54 of the Code.

7 DRAFTER'S NOTE:

8 Error: Omitted word in § 8-410 of the Tax - General Article.

9 Occurred: Ch. 492, Acts of 1995.

10 11-213.

11 Except for the [1st] FIRST retail sale of the manufactured home, the sales and  
12 use tax does not apply to a sale of a manufactured home, as defined in § 12-301(g) of  
13 the Public Safety Article.

14 DRAFTER'S NOTE:

15 Error: Stylistic error in § 11-213 of the Tax - General Article.

16 Occurred: Ch. 337, Acts of 1988.

17 13-1101.

18 (b) An assessment of financial institution franchise tax or income tax may be  
19 made at any time if:

20 (3) a return is not filed as required under Title 8 or TITLE 10 of this  
21 article;

22 DRAFTER'S NOTE:

23 Error: Stylistic error in § 13-1101(b)(3) of the Tax - General Article.

24 Occurred: Ch. 2, Acts of 1988.

25

### **Article - Tax - Property**

26 8-224.

27 (a) (1) If a part of any land that meets the requirements of § 8-221 of this  
28 subtitle is subdivided by a recorded plat or is improved by the construction of  
29 permanent buildings, the assessment of that part under § 8-222 of this subtitle shall  
30 be terminated, and the part shall be assessed as provided under [§ 8-205] § 8-104 of  
31 this subtitle.

32 DRAFTER'S NOTE:

1 Error: Erroneous cross-reference in § 8-224(a)(1) of the Tax - Property  
2 Article.

3 Occurred: As a result of Ch. 191, Acts of 1986.

4 9-240.

5 (a) In this section, ["arts and entertainment district"] "ARTS AND  
6 ENTERTAINMENT DISTRICT", "ARTS AND ENTERTAINMENT ENTERPRISE", and  
7 "qualifying residing artist" have the meanings stated in Article 83A, § 4-701 of the  
8 Code.

9 DRAFTER'S NOTE:

10 Error: Omitted reference in § 9-240(a) of the Tax - Property Article.

11 Occurred: Ch. 608, Acts of 2001.

12 **Article - Transportation**

13 3-216.

14 (c) (2) (i) The Gasoline and Motor Vehicle Revenue Account, THE Driver  
15 Education Account, and the Motorcycle Safety Program Account shall be maintained  
16 in the Transportation Trust Fund.

17 DRAFTER'S NOTE:

18 Error: Omitted article in § 3-216(c)(2)(i) of the Transportation Article.

19 Occurred: Ch. 670, Acts of 2000.

20 13-410.

21 (c) (1) This [section] SUBSECTION applies only to the following vehicles:

22 (i) A Class A (passenger) vehicle;

23 (ii) A Class E (truck) vehicle registered or capable of registration  
24 under § 13-917 of this title; and

25 (iii) A Class M (multipurpose) vehicle.

26 DRAFTER'S NOTE:

27 Error: Stylistic error in § 13-410(c)(1) of the Transportation Article.

28 Occurred: Ch. 522, Acts of 2001.

1 13-936.1.

2 (a) In this [section] SECTION, "vintage registration plate" means a Maryland  
3 registration plate that was actually issued for display on a motor vehicle in a year not  
4 less than 25 years prior to January 1 of each calendar year.

5 DRAFTER'S NOTE:

6 Error: Omitted comma in § 13-936.1(a) of the Transportation Article.

7 Occurred: Ch. 230, Acts of 1987.

8 13-937.1.

9 (a) In this [section] SECTION, "street rod" means a motor vehicle that:

10 (1) Is 25 years old or older; and

11 (2) Has been substantially altered from the manufacturer's original  
12 design.

13 DRAFTER'S NOTE:

14 Error: Omitted comma in § 13-937.1(a) of the Transportation Article.

15 Occurred: Ch. 230, Acts of 1987.

16 15-308.

17 (b) The amount of the surety bond shall be:

18 (2) For a licensee who is licensed to deal in the sale of new motor  
19 vehicles, an amount based on the number of new motor vehicle sales during the  
20 preceding license year, according to the following schedule:

21 (i) 1 to 500 vehicles ..... \$50,000;

22 (ii) 501 to 1,000 vehicles ..... \$75,000;

23 (iii) 1,001 to 2,500 vehicles ..... \$100,000; and

24 (iv) Over 2,500 vehicles ..... \$300,000[.]; AND

25 DRAFTER'S NOTE:

26 Error: Incorrect punctuation and omitted conjunction in §  
27 15-308(b)(2)(iv) of the Transportation Article.

28 Occurred: Ch. 121, Acts of 2001.

1 16-205.1.

2 (i) Notwithstanding any other provision of this section, a test for drug or  
3 controlled dangerous substance content under this section:

4 (3) May only be requested as described under subsection (b) of this  
5 section, required as described under subsection (c) of this section, or directed as  
6 described under subsection (d) of this section:

7 (i) In the case of a police officer who is a trainee, or who is  
8 participating directly or indirectly in a program of training described in paragraph (2)  
9 of this subsection, if the police officer is a member of, and is designated as a trainee or  
10 a participant by the head of:

11 9. The police force for a State university or college under the  
12 direction and control of the [Board of Trustees of State Universities and Colleges]  
13 UNIVERSITY SYSTEM OF MARYLAND;

14 DRAFTER'S NOTE:

15 Error: Obsolete terminology in § 16-205.1(i)(3)(i)9 of the Transportation  
16 Article.

17 Occurred: As a result of Ch. 114, Acts of 1997.

18 21-313.

19 (b) The County Commissioners of Charles County [or] AND Washington  
20 County, by ordinance, may prohibit the use of any controlled access highway in the  
21 county's jurisdiction by any person to solicit money, donations of any kind,  
22 employment, business, or a ride from the occupant of any vehicle on the controlled  
23 access highway.

24 DRAFTER'S NOTE:

25 Error: Incorrect word usage in § 21-313(b) of the Transportation Article.

26 Occurred: Ch. 463, Acts of 2003.

27 21-507.

28 (c) In Charles County, Harford County, and Washington County, a person may  
29 not stand in a roadway, median divider, or intersection to solicit money or donations of  
30 any kind from the occupant of a vehicle.

31 DRAFTER'S NOTE:

32 Error: Incorrect word usage in § 21-507(c) of the Transportation Article.

33 Occurred: As a result of the merger of Chs. 219 and 463 of 2003.

34 Correction by the publisher of the Annotated Code in the 2003 Supplement

1 of the Transportation Article is validated by this Act.

2 26-404.

3 (f) A guaranteed arrest bond certificate may not be accepted:

4 (2) To guarantee the appearance of any person in a court of this State, if  
5 the offense charged is:

6 (i) Driving or attempting to drive while under the influence of  
7 alcohol or while [driving under the influence of] IMPAIRED BY alcohol;

8 (ii) Driving or attempting to drive while impaired by any drug, any  
9 combination of drugs, or any combination of one or more drugs and alcohol or while  
10 impaired by any controlled dangerous substance; or

11 (iii) Any felony.

12 DRAFTER'S NOTE:

13 Error: Incorrect terminology in § 26-404(f)(2)(i) of the Transportation  
14 Article.

15 Occurred: Failure to make a conforming change for consistency with  
16 other changes in terminology in Chs. 4 and 5, Acts of 2001.

17 27-101.

18 (j) (4) A person who is convicted of an offense under § 21-902(a) of this  
19 article within 5 years of a prior conviction of any offense under that subsection shall  
20 be required by the court to:

21 (ii) If recommended at the conclusion of the assessment, participate  
22 in an alcohol program as ordered by the court that is:

23 1. Certified by the Department of Health and Mental  
24 Hygiene;

25 2. Certified by an agency in an adjacent state that HAS  
26 powers and duties similar to the Department of Health and Mental Hygiene; or

27 3. Approved by the court.

28 DRAFTER'S NOTE:

29 Error: Omitted word in § 27-101(j)(4)(ii)2 of the Transportation Article.

30 Occurred: Ch. 246, Acts of 2003. Correction by the publisher of the  
31 Annotated Code in the 2003 Supplement of the Transportation Article is  
32 ratified by this Act.

1 **Chapter 702 of the Acts of 2001, as amended by Chapter 464 of the Acts of**  
2 **2002**

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
4 MARYLAND, That:

5 (b) On or before September 1 of each year, the Department shall submit a  
6 report to the Governor and, in accordance with § 2-1246 of the State Government  
7 Article, to the Senate Finance Committee, the Senate Budget and Taxation  
8 Committee, the House [Environmental Matters Committee] HEALTH AND  
9 GOVERNMENT OPERATIONS COMMITTEE, and the House Appropriations Committee  
10 on:

11 (1) its progress in complying with subsection (a) of this section;

12 DRAFTER'S NOTE:

13 Error: Misnomer in Section 1(b) of Ch. 702, Acts of 2001, as amended by  
14 Ch. 464 of the Acts of 2002.

15 Occurred: As a result of committee name change effective as of the 2003  
16 Session of the General Assembly.

17 **Chapter 282 of the Acts of 2002**

18 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take  
19 effect July 1, 2002. [It] EXCEPT FOR SECTION 1 OF THIS ACT, THIS ACT shall remain  
20 effective for a period of 3 years and, at the end of June 30, 2005, with no further action  
21 required by the General Assembly, this Act, EXCEPT FOR SECTION 1 OF THIS ACT,  
22 shall be abrogated and of no further force and effect.

23 DRAFTER'S NOTE:

24 Error: Omitted language in Section 5 of Ch. 282, Acts of 2002.

25 Occurred: Ch. 282, Acts of 2002.

26 **Chapter 464 of the Acts of 2002**

27 SECTION 2. AND BE IT FURTHER ENACTED, That:

28 (d) On or before September 1 of each year, the Department shall report to the  
29 Governor, and in accordance with § 2-1246 of the State Government Article, the  
30 Senate Finance Committee, the Senate Budget and Taxation Committee, the House  
31 [Environmental Matters Committee] HEALTH AND GOVERNMENT OPERATIONS  
32 COMMITTEE, and the House Appropriations Committee on:

33 (1) its progress in complying with subsections (a), (b), and (c) of this  
34 section;

## 1 DRAFTER'S NOTE:

2 Error: Misnomer in Section 2(d) of Ch. 464, Acts of 2002.

3 Occurred: As a result of committee name change effective as of the 2003  
4 Session of the General Assembly.

5 **Chapter 53 of the Acts of 2003**

6 SECTION 19. AND BE IT FURTHER ENACTED, That Section 9 of this Act  
7 shall take effect October 1, 2003, the effective date of Chapter 302, SECTION 2 of the  
8 Acts of the General Assembly of 2002. If the effective date of Chapter 302, SECTION 2  
9 is amended, Section 9 of this Act shall take effect on the taking effect of Chapter 302,  
10 SECTION 2.

## 11 DRAFTER'S NOTE:

12 Error: Omitted language in Section 19 of Ch. 53, Acts of 2003.

13 Occurred: Ch. 53, Acts of 2003.

14 **Chapter 143 of the Acts of 2003**

15 SECTION 2. AND BE IT FURTHER ENACTED, That the AIDS Administration  
16 in the Department of Health and Mental Hygiene, in consultation with the Maryland  
17 Hospital Association and AIDS advocacy organizations, shall study the issue of HIV  
18 testing of individuals who refuse to consent to HIV testing when there has been an  
19 exposure involving a health care provider or a first responder, as defined in §  
20 18-338.3 of the Health - General Article, as enacted by Section 1 of this Act. The  
21 AIDS Administration shall report its finding and recommendations, in accordance  
22 with [§ 2-1462] § 2-1246 of the State Government Article, to the Senate Education,  
23 Health, and Environmental Affairs Committee and the House Health and  
24 Government Operations Committee on or before December 1, 2003.

## 25 DRAFTER'S NOTE:

26 Error: Erroneous cross-reference in Section 2 of Ch. 143, Acts of 2003.

27 Occurred: Ch. 143, Acts of 2003.

28 **Chapter 203 of the Acts of 2003**

29 SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any  
30 other provision of law:

31 (a) For fiscal 2004, \$5,000,000 of the balance of the Maryland Emergency  
32 Medical System Operations Fund established under § 13-955 of the Transportation  
33 Article may be transferred by approved budget amendment to the Low Interest  
34 Revolving Loan Account established under [Article 38A, § 46E of the Annotated Code  
35 of Maryland] § 8-206 OF THE PUBLIC SAFETY ARTICLE.

1 (d) For fiscal year 2004 only, \$403,744 of the funds in the Maryland  
2 Emergency Medical System Operations Fund established under § 13-955 of the  
3 Transportation Article may be transferred by approved budget amendment to the  
4 Emergency Assistance Trust Account established under [Article 38A, § 46A of the  
5 Code] § 8-204 OF THE PUBLIC SAFETY ARTICLE and used for the authorized purposes  
6 of the Emergency Assistance Trust Account.

7 DRAFTER'S NOTE:

8 Error: Obsolete cross-reference in Section 13(a) and (d) of Ch. 203, Acts  
9 of 2003.

10 Occurred: Ch. 203, Acts of 2003.

11 SECTION 28. AND BE IT FURTHER ENACTED, That [§ 10-803] § 13-803 of  
12 the Tax - General Article as enacted by Section 24 of this Act shall be applicable to  
13 contracts entered into on or after July 1, 2003.

14 DRAFTER'S NOTE:

15 Error: Erroneous cross-reference in Section 28 of Ch. 203, Acts of 2003.

16 Occurred: Ch. 203, Acts of 2003.

17 **Chapter 207 of the Acts of 2003**

18 SECTION 3. AND BE IT FURTHER ENACTED, That each county board of  
19 education, including the Baltimore City Board of School Commissioners, shall report  
20 to the Maryland State Department of Education on or before September 1, 2003,  
21 regarding:

22 (2) the number of family hardship waivers that were granted under subsection  
23 (1) of this section that were for [out-of-state/out-of-country]  
24 OUT-OF-STATE/OUT-OF-COUNTY students;

25 DRAFTER'S NOTE:

26 Error: Incorrect word usage in Section 3(2) of Ch. 207, Acts of 2003.

27 Occurred: Ch. 207, Acts of 2003.

28 **Chapter 236 of the Acts of 2003**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 June 1, 2003. [It] SECTION 15-124.2 OF THE HEALTH - GENERAL ARTICLE AS  
31 ENACTED BY THIS ACT shall remain effective for a period of 3 years and 1 month and,  
32 at the end of June 30, 2006, with no further action required by the General Assembly,  
33 [this Act] § 15-124.2 OF THE HEALTH - GENERAL ARTICLE AS ENACTED BY THIS ACT  
34 shall be abrogated and of no further force and effect.

1 DRAFTER'S NOTE:

2 Error: Omitted references in Section 2 of Ch. 236, Acts of 2003.

3 Occurred: Ch. 236, Acts of 2003.

4

**Chapter 316 of the Acts of 2003**

5 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 8-403(b)(23)  
6 through [(54)] (69), respectively, of Article - State Government of the Annotated Code  
7 of Maryland be renumbered to be Section(s) 8-403(b)(24) through [(55)] (70),  
8 respectively.

9 DRAFTER'S NOTE:

10 Error: Incomplete references in Section 2 of Ch. 316, Acts of 2003.

11 Occurred: Ch. 316, Acts of 2003.

12

**Chapter 398 of the Acts of 2003**

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 July 1, 2003. [It] SECTION 13-618 OF THE TRANSPORTATION ARTICLE AS ENACTED  
15 BY THIS ACT shall remain effective for a period of 5 years and, at the end of June 30,  
16 2008, with no further action required by the General Assembly, [this Act] § 13-618 OF  
17 THE TRANSPORTATION ARTICLE AS ENACTED BY THIS ACT shall be abrogated and of  
18 no further force and effect.

19 DRAFTER'S NOTE:

20 Error: Omitted references in Section 3 of Ch. 398, Acts of 2003.

21 Occurred: Ch. 398, Acts of 2003.

22 SECTION 2. AND BE IT FURTHER ENACTED, That the publisher of the  
23 Annotated Code of Maryland, subject to the approval of the Department of Legislative  
24 Services, shall make any changes in the text of the Annotated Code necessary to  
25 effectuate any termination provision that was enacted by the General Assembly and  
26 has taken effect or will take effect prior to October 1, 2004. Any enactment of the 2004  
27 Session of the General Assembly that negates or extends the effect of a previously  
28 enacted termination provision shall prevail over the provisions of this section.

29 SECTION 3. AND BE IT FURTHER ENACTED, That the Drafter's Notes  
30 contained in this Act are not law and may not be considered to have been enacted as  
31 part of this Act.

32 SECTION 4. AND BE IT FURTHER ENACTED, That the provisions of this  
33 Act are intended solely to correct technical errors in the law and there is no intent to  
34 revive or otherwise affect law that is the subject of other acts, whether those acts were  
35 signed by the Governor prior to or after the signing of this Act.

1 SECTION 5. AND BE IT FURTHER ENACTED, That any reference in the  
2 Annotated Code of Maryland rendered obsolete by an Act of the General Assembly of  
3 2004 shall be corrected by the publisher of the Annotated Code, in consultation with  
4 and subject to the approval of the Department of Legislative Services, with no further  
5 action required by the General Assembly. The publisher shall adequately describe any  
6 such correction in an editor's note following the section affected.

7 SECTION 6. AND BE IT FURTHER ENACTED, That the publisher of the  
8 Annotated Code of Maryland, in consultation with and subject to the approval of the  
9 Department of Legislative Services, at the time of publication of a new volume or a  
10 replacement volume of the Annotated Code, shall make nonsubstantive corrections to  
11 codification, style, capitalization, punctuation, grammar, spelling, and any reference  
12 rendered obsolete by an Act of the General Assembly, with no further action required  
13 by the General Assembly.

14 SECTION 7. AND BE IT FURTHER ENACTED, That this Act is an  
15 emergency measure, is necessary for the immediate preservation of the public health  
16 or safety, has been passed by a ye and nay vote supported by three-fifths of all the  
17 members elected to each of the two Houses of the General Assembly, and shall take  
18 effect from the date it is enacted.